

# THE *Nation*

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May 27, 1936

## Tax Battle in Congress

BY MAX LERNER

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Coal Is Unconstitutional - - - - -	<i>Editorial</i>
The Austrian Volcano - - - - -	<i>M. W. Fodor</i>
Vermont: State of Anarchy - - -	<i>Special Correspondent</i>
Treason Among the Future Veterans - -	<i>James Wechsler</i>
Washington Shell Game - - - - -	<i>Paul W. Ward</i>
The Republicans Drift - - - - -	<i>Oswald G. Villard</i>
Tacks in an Editor's Chair - - - -	<i>Joseph Wood Krutch</i>
Radio - - - - -	<i>Heywood Broun</i>
The Cult of Emotion - - - - -	<i>Clifton Fadiman</i>

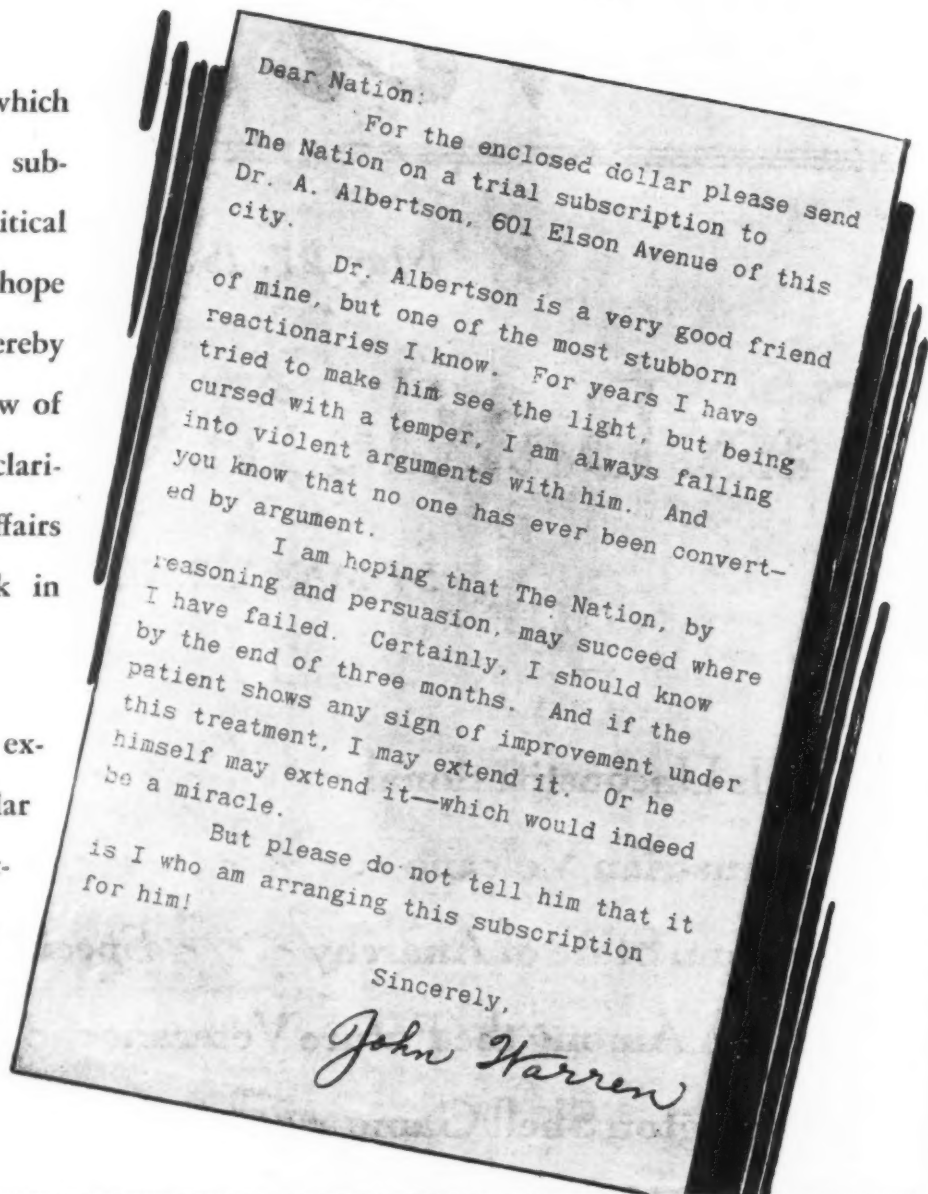
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## CONTENTS

### THE SHAPE OF THINGS

661

### EDITORIALS:

COAL IS UNCONSTITUTIONAL

664

CAN EUROPE AVERT WAR?

665

BOOMERANG AT SEA

666

WASHINGTON WEEKLY by Paul W. Ward

667

THE CORPORATE TAX BATTLE by Max Lerner

669

TREASON AMONG THE FUTURE VETERANS  
by James Wechsler

672

THE AUSTRIAN VOLCANO by M. W. Fodor

673

VERMONT: STATE OF ANARCHY  
by a Special Correspondent

675

ISSUES AND MEN by Oswald Garrison Villard

677

BROWN'S PAGE

678

### BOOKS AND THE ARTS:

TACKS IN AN EDITOR'S CHAIR  
by Joseph Wood Krutch

679

"IT IS NOT FORBIDDEN TO THINK"  
by Marianne Moore

680

THE CULT OF EMOTION by Clifton Fadiman

681

THE TRAGEDIAN PARNELL by Horace Gregory

682

THE COMING WAR IN THE EAST  
by Maxwell S. Stewart

684

RADIO by Heywood Broun

686

FILMS: DOCUMENTARY by Mark Van Doren

687

THE INTELLIGENT TRAVELER

by John Rothschild

689

DRAWINGS by Georges Schreiber and Dan Reed

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## *The Shape of Things*

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RELIEF, RESETTLEMENT, AND PUBLIC WORKS are sharing the Washington limelight along with the tax bill and the Guffey decision. The last-named two are discussed elsewhere in this issue. The tangle of Mr. Hopkins, Mr. Ickes, and Mr. Tugwell in their struggle for a place in the sun of relief funds does not seem to yield even to Mr. Roosevelt's diplomacy and cajolery. Ickes has forced the President's hand with his threat of resignation, and is likely to get some RFC funds. Tugwell, less strategically secure, has fallen on evil days. *The Nation* has in several articles criticized the administration and aims of his resettlement work. Nevertheless, whatever its specific faults, there can be no doubt of its value as an experiment in long-range planning. The Tugwells and their measures must be kept from being fed to the Liberty League lions. But even if they are saved from that dire fate, there are always the courts. The Court of Appeals of the District of Columbia has declared Tugwell's model-housing project at Bound Brook, New Jersey, unconstitutional. This will probably mean that even the scanty PWA funds that Mr. Roosevelt has mentioned as possibly going to resettlement work will now be withheld. Since Mr. Tugwell's funds for the model-housing project came from relief appropriations, the court's decision has cast doubt on the validity of the relief program. How serious this doubt is cannot be determined until the Supreme Court has had a chance to pass on it. Meanwhile it is another instance of the chaos that can be produced by leaving the decision of social policy in judicial hands.

\*

IT IS NO CRIME IN FLORIDA TO BEAT A MAN TO death. This was the astonishing implication of the argument advanced by counsel for the defense in a plea for a directed verdict of acquittal in the Tampa kidnaping case. Three men, Eugene S. Poulnot, Dr. Samuel J. Rogers, and Joseph Shoemaker were kidnaped last November, tarred and feathered, and beaten with a chain and a leather strap; Shoemaker died of his injuries. Seven policemen, among them former Chief of Police R. G. Tittsworth, were indicted for "kidnaping"—murder was not mentioned. At the close of the prosecution's case Judge Robert T. Dewell did in fact acquit Tittsworth of being an accessory after the fact, and also another of the defendants, Robert Chappell. The remaining five defendants will continue to be tried, but too much hope need not be held out for a verdict of guilty. From the beginning the trial has been not a simple



consideration of a brutal attack upon three unarmed men, but a political battle, in which the issues were communism, the overthrow of the United States government, the menace of Norman Thomas—and the Ku Klux Klan and the power of the large citrus growers in the state. The defendants were known to and identified by the victims. But this was unimportant compared to the alleged fact that the Modern Democrats, the political organization with which the three victims were affiliated, were dangerously red. Testimony that meetings of the group were opened by a rendition of "America" surprised but did not seriously disconcert the defense. The two men who, presumably under fear of testifying, committed suicide while the case was pending might have saved themselves the trouble.

\*

**STEEL WILL BE ORGANIZED.** THE RESOLUTION adopted by the convention of the Amalgamated Association of Iron, Steel, and Tin Workers in Canonsburg, Pennsylvania, did not expressly accept the \$500,000 offer of the Committee for Industrial Organization. There were too many faces to be saved. Instead, it was a little masterpiece in resolutions. It welcomed the cooperation of the craft unions dominating the A. F. of L. executive council as well as the help of industrial-union advocates in the C. I. O. At the same time it set a limit to the jurisdictional hunger of the crafts. The Amalgamated, reads the resolution, seeks the cooperation of all national and international unions affiliated with the A. F. of L. Such cooperation is to consist of (1) the waiving of any and all rights or claims of jurisdiction in the steel industry by any and all interested organizations; and (2) contributions, trained organizers, and where possible donation of funds. A third provision stipulates that organizations meeting the requirements of points one and two be requested to participate on a joint committee. Since the organizations of the C. I. O. have already waived any jurisdictional claims and have made an offer of real money, they may be expected to have places on the committee to organize the steel workers as soon as it is formed.

\*

**ROY HOWARD HAS DISCOVERED A CREATIVE** writer after his own heart in Rupert Hughes, whose revolt from the Screen Writers' Guild is dealt with by Heywood Broun on another page of this issue. At the moment Mr. Howard is engaged in a manful struggle to retain the liberal readership of the New York *World-Telegram* while at the same time he fights off the menace of the Newspaper Guild demanding a contract. When Rupert Hughes, king of the free lancers, bolted from the Screen Writers' Guild, Mr. Howard wired him in this fashion:

Only about twenty-five words printed here your statement Screen Guild's closed-shop policy would create writers' soviet. Think important public understand implications this attempt hogtie and standardize creative writing. Newspaper Guild also attempting effect editorial workers' closed shop. Would restrict all reporting and even editorial writing to members committed to closed-shop trade unionism thus eliminating dissenting and con-

troversial opinion from all newspapers. Net effect would be guild dictatorship of American press on parity with Communist, Fascist, or Nazi unilateral press dictatorships abroad. Difference be here guild would dictate policies, owners retain responsibility and foot bills. . . . Will you wire *World-Telegram* press collect five hundred to thousand words grounds and significance your revolt and prospects for spread this anti-regimentation movement among creative writers. Would like you incidentally point out menace to democratic institutions of attempting limit editorial expression to proponents of any one school of . . . thought.

\*

THE EXCERPTS FROM MR. HUGHES'S REPLY cited on Broun's Page bear out his proud boast that he has always found it easy to work with editors, though they cast some doubt on his claim to be a creative writer. Mr. Howard's telegram of appreciation to Mr. Hughes is both shorter and more significant:

Many thanks and my sincere appreciation. That shot punched out the geometric center of the bull's eye. Am asking the press association to watch your efforts tonight which I think are of vital importance to real liberty of the writing craft and honest to God freedom of expression.

Since Mr. Howard owns a large share of the United Press we may expect to see in its dispatches an increasing amount of freedom of the press as defined by Hearst, Howard, and Hughes. Meanwhile, it might be well if some of Howard's best friends enlightened him, press collect, on at least one reason why the *World-Telegram* is no longer regarded as a liberal newspaper.

\*

**IS LEON BLUM DOOMED TO BE THE KERENSKY** of a new revolution in France? In certain superficial aspects the parallel is startling. He has the support but not the collaboration of the Communists, who are forming local committees all over the country to see to it that the program of the People's Front is promptly put into effect. He is forced to shape his Cabinet from material supplied largely by non-Socialists, insuring a fundamental division of opinion on all important issues. He must struggle within the confines of the capitalist system to support a collapsing financial structure which the capitalists themselves have abandoned. What can he do but temporize and compromise and finally fall under the weight of an impossible load of conflicting obligations and efforts? But the likeness to Kerensky evaporates at exactly this point. Blum and his left-center Cabinet have powerful support in the need of a stable anti-fascist government in France. The Communists will doubtless use their freedom from responsibility to press Blum as far as they dare, brandishing their loyalty to the People's Front program as a weapon of attack. But they will not cause the government to fall while fascism and war stalk along the political horizon. If realistic patriotism and self-preservation were not enough to hold them in line, the influence of the U. S. S. R. would doubtless do so; Russia cannot afford a revolution in France while Hitler rules in Germany. The Radical Socialists also desire the maintenance of republican government

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and the alliance with Russia. The day has passed when a French ministry could be allowed to fall over a trifling financial dispute—or a major one. Even in the face of the doomed franc, the Blum government will probably be held together not by the strength of a united front in support of social reform but by the strongest of all social forces—fear.

\*

WITH THE DISPATCH OF 10,000 ADDITIONAL Japanese troops to the Peiping-Tientsin area, events in North China are once more approaching a crisis. Japanese spokesmen have referred vaguely to the growing Communist "menace"—thus contradicting the reports from Nanking that the Communists had been driven completely out of the north—and have revived the rumor of a secret pact between Moscow and Nanking. The primary cause of friction at the moment, however, appears to have grown out of the repeated British and Chinese protests against the huge Japanese smuggling operations in North China. According to reliable estimates, Korean and Japanese gangs have smuggled approximately \$70,000,000 worth of goods into this area in the past year. Chinese customs authorities have been forcefully prevented from interfering with this trade. The evidence suggests that the encouragement of illicit trade by Japan is directed primarily against Great Britain. As long as Britain controls the customs service, and utilizes this position to turn Chinese revenues into the coffers of British bondholders, Japan's political dominance in North China will be of very little value. The widespread smuggling operations kill two birds with one stone: they undermine the customs service, and permit Japanese goods to be sold more cheaply than those of British and American competitors. But the recent troop movements suggest that the Japanese are bent on obtaining the same objectives in a slightly more orthodox manner—by the annexation of North China.

\*

THE BRITISH GOVERNMENT'S ACTION IN warning banks and insurance companies against granting further credits to Germany is not easy to interpret. Short-range political motives may have taken precedence over purely economic factors. Hitler is at present sweating over a series of very pointed questions on which the British government has asked elucidation, and it is not impossible that the British Foreign Office wishes to bring pressure at this crucial period. On the other hand, no one can doubt that the German financial situation is gradually becoming more critical. The appointment of Göring as financial dictator and the reduction in the powers of Dr. Schacht were clearly the result of growing dissatisfaction with the rigorous economies imposed by Schacht. While Germany's fundamental difficulties may be attributed to the rearmament program, Schacht's policies have undoubtedly aggravated the situation. His attempts to balance trade with each individual country, for example, have frequently led to the importation of inferior raw materials and the payment of inordinately high prices. Further evidence of the anxiety of international financial interests over the approaching German crisis may be seen in the action of the New York

banks reducing the price of travel marks by 12½ per cent. This action was entirely voluntary, and was apparently prompted by the fear that the unfreezing of American funds in Germany would not be completed before the final crash. When the bankers begin to sell capitalist Germany short, it is time to take heed.

\*

OUR HATS ARE OFF TO MAURY MAVERICK, Capitol Hill's dauntless, self-confessed, and proud-of-it hat-taker-offer. Single-handed, the gallant gentleman from Texas is out to combat the newest menace to our civil liberties, the Association for the Prevention of Taking Hats Off in Elevators. Already the A.P.T.H.O.E. flies its black banner over the nation's capital, and unless immediate action is taken by all liberty-loving Americans we cannot doubt that it will end in rigid regimentation, in fascism! The A.P.T.H.O.E. may seem innocent enough on the surface, but consider the ultimate implications. What will a man do when he sees a pretty girl in an elevator and wants to break the ice? Instinctively his hand will rise to his hat but then, as he remembers the prohibition, he will look guiltily around, pretending that he was only going to scratch his ear. The girl will regard him with contempt. No ice broken, no boy meets girl, no orange blossoms. Our birth-rate will drop off, our population decrease, the country will become defenseless, and, before we know it the Japanese will be on us! Are we to stand by while traitors open our country to the invader? Here and now *The Nation* founds the C.L.C.H.D.H.B.R., the Chivalry League for Continued Hat-Doffing and a Higher Birth-Rate.

\*

AFTER A LONG NIGHT OF HECTIC BUSINESS, when the morning sun was already slanting across the lawns of the Capitol at Albany, the New York legislature mustered just enough votes to appropriate \$15,000 for a committee to investigate "communistic activities" in the schools and colleges of the state. The appropriation had originally been \$150,000; it must have been some wag who cut it down, and indeed the legislature may have intended the whole thing as a little joke—with the taxpayers' money. For this is how it works out: In 1932 in New York State there were 2,240,000 pupils in public elementary and secondary schools. Add to this 171,000 students in colleges, universities, and professional schools, and 95,000 teachers of all of them, and you have a total of roughly two and a half million individuals to be "investigated" to the extent of \$15,000. This divides up to exactly six mills per person, which is very likely equivalent to the amount of "communism" the legislative committee could discover if it spent millions instead of thousands of dollars. Of course, \$15,000 would also buy 300,000 hot dogs which could be distributed to school children with the legislators' compliments and might get a few grateful votes from their parents. If the sovereign state of New York were in danger of being overthrown by its school children, we fear that the legislature's appropriation would not help much to prevent such a catastrophe.

## Coal Is Unconstitutional

AS with death from a deep-lying cancer, the Supreme Court decision in the Guffey Coal Act was clearly expected but is none the less tragic and distressing. Most of those who had been following the sequence of constitutional decisions since the Railway Retirement Pensions case with that tremulous anxiety which the edicts of the world's most powerful tribunal have a right to expect were not unprepared for Justice Sutherland's majority reasoning. The gentle sage of Utah set down a series of propositions in law and logic which marched inevitably to the conclusion that the federal government had no constitutional power to regulate the bituminous-coal industry, especially in creating a labor board for insuring collective bargaining and settling labor disputes. It might be added that Chief Justice Hughes set down another series of propositions in law and logic which seemed to march just as inevitably to somewhat the same goal, though by a different route. It might finally be said that Justice Cardozo, speaking for the usual minority of three, set down his own series of propositions, equally legal and logical, which not only followed a different path from that of the other two but arrived at an exactly contrary conclusion.

Whatever the merits of the conflicting chains of reasoning, the one overwhelming fact is that as a result of this decision coal is unconstitutional. The industry is left in a state of chaos, with respect to production, marketing, labor relations. Any legislative effort calculated to be effective in introducing some order into this chaos has been adjudged as exceeding the limits of our constitutional structure.

The wisdom or unwisdom of the particular Guffey plan for regulating the coal industry is not anything that need concern us now. Actually we have very grave and disquieting doubts about compulsory cartelization as a pattern of control in a basic industry like coal. The act, which has generally been called "a little NRA" for coal, is far too similar to the unhappy national experiment in industrial control after which it was so closely modeled. The district boards of coal producers which set prices, subject to review by the national commission, are too like the NRA code authorities to fill us with much enthusiasm. The relaxation of the anti-trust laws is always a dangerous principle unless accompanied by more adequate safeguards against monopoly. The provisions for control in the public interest are sketchy at their best. The consumer's representative on the commission is armed chiefly with the power to call for records and testimony, and while this is a better break than the consumer has ever got before, it is still not much of a break. The best things about the act are the labor provisions, which set up a mechanism for assuring collective bargaining. It is no secret that the act, while bearing the sponsorship of Senator Guffey and Representative Snyder, was actually pushed through by John L. Lewis and the massed force of unionism behind him. And it is hard not to feel that the labor provisions atone for the others, and give the entire act real value.

But while all that is very important from the standpoint of social policy, it can have no bearing on the reaction to the Supreme Court's decision. Justice Sutherland was presumably not actuated by any deep concern over the fact that the act is not a radical-enough solution of the coal problem. It is more likely that he is terrified at the amount of "socialism" which he conjures up in the act, and that his opinion is a direct response to his terror of any form of governmental interference with business enterprise. Students of constitutional law have by this time lost their original innocence about the judicial process. They know that however clearly a set of legal propositions marches on to its appointed goal, what gives it steam is the set of economic convictions and social views that the judge holds.

The court's formal reasoning—or rationalization—was the traditional rationalization. Coal production is not interstate commerce. Any disturbances in the coal industry, whether due to a chaos of price structure or to labor conflict, do not *directly* affect or burden interstate commerce. The wages-and-hours provisions of the act are not, therefore, a "true" regulation of interstate commerce. They represent, moreover, an improper delegation of legislative power. The penalty tax levied by the act in order to carry out these provisions becomes unconstitutional, since it is levied not for revenue purposes but to enforce a power which the federal government does not otherwise have. And since the wages-and-hours provisions are inseparable from the rest of the act, the entire act is void. Chief Justice Hughes's concurring opinion differed from this only in his anxiety to make clear that, while Congress does not have the power to regulate labor relations in the coal industry, it does have the power to fix prices. The price-fixing sections of the act he therefore regarded as constitutional, and as separable from the rest of the act and capable of standing alone.

The effect of the majority reasoning on the remaining New Deal decisions is fairly clear. Wherever the commerce power of Congress is involved, we may be certain that the court will construe it narrowly and mechanically. Wherever there is an attempt to enforce collective bargaining and give labor some protection against the brutal power of concentrated capital and giant corporate enterprise, we may be certain that the court will nullify that attempt. This dooms, among other things, the Wagner Labor Act. Brushing aside the many technical, theoretical, and political issues that cluster around any tangled constitutional problem, the outstanding fact is that the court majority is determined to block efforts of the federal government to regulate industry, whether those efforts are entirely defensible socially, as with the railway retirement pensions, or indefensible as with the NRA. It is using its concern for states' rights as a cloak for the repugnance it feels to any departure from unregulated capitalism.

The minority of three, speaking again through a brilliant dissenting opinion by Justice Cardozo, makes another heroic venture in judicial self-limitation. Justice Cardozo holds that the labor and price provisions are separable; that the price provisions fall within the commerce power of Congress; that the Supreme Court is not



called upon in the particular case at issue—the request of the Carter Coal Company for an injunction—to settle any other constitutional problems; that since the act has not begun to function, “what the code will provide as to wages and hours of labor . . . is still in the domain of prophecy. . . . The complainants have been crying before they are really hurt.” The position that Justice Cardozo takes in this case is the only possible position that will keep the court from intruding its views upon the legislature and trying to settle issues of economic and social policy by narrow legalistic categories. It is the only possible position that will allow the court to exist and function and still keep it from wrecking our legislative constructions and throwing our industries into chaos. But as he read his dissent in court, Justice Cardozo sounded like a voice crying in the constitutional wilderness.

What remains is the usual mending of legislative fences after the Supreme Court hurricane has passed by. The ingenuity of constitutional lawyers will in all likelihood find some makeshift to replace the Guffey act, just as they found one after the Hoosac decision to replace the AAA. John L. Lewis and the miners’ union will be forced back on their massed collective strength and the use of the strike weapon when necessary to maintain labor standards. Paradoxically, the labor vote will swing even more strongly than before to Mr. Roosevelt—despite the fact that he refrains from making the arbitrary use of the judicial power a campaign issue. And even those coal operators who opposed the act and welcome the decision will find that their victory is dearly bought, and that a sick industry like coal is not healed and made whole again by the legalistic mumbo-jumbo of six judges.

## *Can Europe Avert War?*

THE past week’s dramatic events in Austria, largely foreshadowed by Mr. Fodor in an article appearing elsewhere in this issue, have once more shaken the delicate balance of European peace. While France and England appear to have sponsored Prince Starhemberg’s removal with a view to limiting Italian influence in Austria, it is an open question whether Schuschnigg and Reither are strong enough to maintain a government which is opposed by three of the most powerful groups in the country—the Socialists, the Nazis, and the Heimwehr. Should Schuschnigg fall, almost anything might happen. Radicals in the German Nazi Party would like nothing better than a renewal of civil disturbances. Although it is unlikely that Hitler would plan a second adventure immediately after his successful coup in the Rhineland, his hand may be forced by events. The danger of a Nazi coup within the next few months is greatly enhanced by the prevailing feeling that neither England nor France would resort to force to preserve Austrian independence. Mussolini, it is agreed, will fight rather than allow German troops to occupy the Brenner Pass. But the success of Hitler’s Rhineland coup has convinced many Nazis that France will not resort to arms unless assured of the support of England, and that England will not fight under

any circumstances. The fact that they are probably mistaken on both counts only magnifies the danger.

As long as the League of Nations existed as a potential instrument for mobilizing collective action against an aggressor, the position of Austria was reasonably safe. But for the moment at least the League has been shelved as an effective weapon. Italy’s withdrawal leaves only three of the seven world powers still represented at Geneva. Economic sanctions are difficult at best; they become impossible when a considerable proportion of the chief trading nations fail to cooperate. Italy’s triumph in Ethiopia and Japan’s unopposed penetration of North China have caused even the League’s most loyal supporters to become discouraged about the possibility of building an effective instrument of security in the present-day world. Guatemala’s resignation from the League may be the signal for a general exodus of South American states.

The eclipse of the League leaves Europe at the mercy of the fascist war-makers. In a world devoid of law there can be no security. Isolation is obviously impracticable even for a country like England; for little Austria it would be the height of folly. Efforts to strengthen national defenses can only intensify the horror of the ultimate disaster. Alliances may afford a temporary respite for great powers such as France and Russia, but in the long run they can only serve to transform every war into a world conflict. In lieu of a more hopeful course of action Prime Minister Baldwin, who is as responsible as any one man for the present difficulties of the League, has revived a movement for revision of the Covenant in the hope of thereby stemming the threatening tide of nationalism. By eliminating Article XVI—the sanctions article—Baldwin hopes to persuade Japan, Germany, Italy, and the United States to realign themselves with the League. The abandonment of Article XVI would preclude all attempts to enforce peace by coercion, but would preserve the League as an agency for conciliation.

While it is conceivable that the League might serve a useful purpose even without Article XVI, a wise general does not call for a strategic retreat when he is cornered at his last line of defense. Any modification of the Covenant at the present moment would be rightly interpreted in Rome, Berlin, and Tokyo as an admission of weakness on the part of the non-fascist countries and as an invitation to pursue their aggressive policies without restraint so long as they do not conflict directly with the interests of the other powers. To put it bluntly, it would consign all of North China, Mongolia, and Fukien to Japan, give Ethiopia to Italy, and allow Germany to absorb Memel, the Baltic states, and Czecho-Slovakia. The German-Italian differences over Austria might be patched up by a division of the spoils. Some pacifists would go so far as to say that such a development is preferable to a general world conflagration. Possibly so. But does anyone really believe that the appetites of war-makers become satiated with easy conquest?

There has been no period in recent history when the pessimists seemed to have things so completely their way. A few months ago there was at least a fighting chance of stopping Hitler by an overwhelming display of solidarity



## Coal Is Unconstitutional

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The wisdom or unwisdom of the particular Guffey plan for regulating the coal industry is not anything that need concern us now. Actually we have very grave and disquieting doubts about compulsory cartelization as a pattern of control in a basic industry like coal. The act, which has generally been called "a little NRA" for coal, is far too similar to the unhappy national experiment in industrial control after which it was so closely modeled. The district boards of coal producers which set prices, subject to review by the national commission, are too like the NRA code authorities to fill us with much enthusiasm. The relaxation of the anti-trust laws is always a dangerous principle unless accompanied by more adequate safeguards against monopoly. The provisions for control in the public interest are sketchy at their best. The consumer's representative on the commission is armed chiefly with the power to call for records and testimony, and while this is a better break than the consumer has ever got before, it is still not much of a break. The best things about the act are the labor provisions, which set up a mechanism for assuring collective bargaining. It is no secret that the act, while bearing the sponsorship of Senator Guffey and Representative Snyder, was actually pushed through by John L. Lewis and the massed force of unionism behind him. And it is hard not to feel that the labor provisions atone for the others, and give the entire act real value.

But while all that is very important from the standpoint of social policy, it can have no bearing on the reaction to the Supreme Court's decision. Justice Sutherland was presumably not actuated by any deep concern over the fact that the act is not a radical-enough solution of the coal problem. It is more likely that he is terrified at the amount of "socialism" which he conjures up in the act, and that his opinion is a direct response to his terror of any form of governmental interference with business enterprise. Students of constitutional law have by this time lost their original innocence about the judicial process. They know that however clearly a set of legal propositions marches on to its appointed goal, what gives it steam is the set of economic convictions and social views that the judge holds.

The court's formal reasoning—or rationalization—was the traditional rationalization. Coal production is not interstate commerce. Any disturbances in the coal industry, whether due to a chaos of price structure or to labor conflict, do not *directly* affect or burden interstate commerce. The wages-and-hours provisions of the act are not, therefore, a "true" regulation of interstate commerce. They represent, moreover, an improper delegation of legislative power. The penalty tax levied by the act in order to carry out these provisions becomes unconstitutional, since it is levied not for revenue purposes but to enforce a power which the federal government does not otherwise have. And since the wages-and-hours provisions are inseparable from the rest of the act, the entire act is void. Chief Justice Hughes's concurring opinion differed from this only in his anxiety to make clear that, while Congress does not have the power to regulate labor relations in the coal industry, it does have the power to fix prices. The price-fixing sections of the act he therefore regarded as constitutional, and as separable from the rest of the act and capable of standing alone.

The effect of the majority reasoning on the remaining New Deal decisions is fairly clear. Wherever the commerce power of Congress is involved, we may be certain that the court will construe it narrowly and mechanically. Wherever there is an attempt to enforce collective bargaining and give labor some protection against the brutal power of concentrated capital and giant corporate enterprise, we may be certain that the court will nullify that attempt. This dooms, among other things, the Wagner Labor Act. Brushing aside the many technical, theoretical, and political issues that cluster around any tangled constitutional problem, the outstanding fact is that the court majority is determined to block efforts of the federal government to regulate industry, whether those efforts are entirely defensible socially, as with the railway retirement pensions, or indefensible as with the NRA. It is using its concern for states' rights as a cloak for the repugnance it feels to any departure from unregulated capitalism.

The minority of three, speaking again through a brilliant dissenting opinion by Justice Cardozo, makes another heroic venture in judicial self-limitation. Justice Cardozo holds that the labor and price provisions are separable; that the price provisions fall within the commerce power of Congress; that the Supreme Court is not

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called upon in the particular case at issue—the request of the Carter Coal Company for an injunction—to settle any other constitutional problems; that since the act has not begun to function, “what the code will provide as to wages and hours of labor . . . is still in the domain of prophecy. . . . The complainants have been crying before they are really hurt.” The position that Justice Cardozo takes in this case is the only possible position that will keep the court from intruding its views upon the legislature and trying to settle issues of economic and social policy by narrow legalistic categories. It is the only possible position that will allow the court to exist and function and still keep it from wrecking our legislative constructions and throwing our industries into chaos. But as he read his dissent in court, Justice Cardozo sounded like a voice crying in the constitutional wilderness.

What remains is the usual mending of legislative fences after the Supreme Court hurricane has passed by. The ingenuity of constitutional lawyers will in all likelihood find some makeshift to replace the Guffey act, just as they found one after the Hoosac decision to replace the AAA. John L. Lewis and the miners’ union will be forced back on their massed collective strength and the use of the strike weapon when necessary to maintain labor standards. Paradoxically, the labor vote will swing even more strongly than before to Mr. Roosevelt—despite the fact that he refrains from making the arbitrary use of the judicial power a campaign issue. And even those coal operators who opposed the act and welcome the decision will find that their victory is dearly bought, and that a sick industry like coal is not healed and made whole again by the legalistic mumbo-jumbo of six judges.

## *Can Europe Avert War?*

THE past week’s dramatic events in Austria, largely foreshadowed by Mr. Fodor in an article appearing elsewhere in this issue, have once more shaken the delicate balance of European peace. While France and England appear to have sponsored Prince Starhemberg’s removal with a view to limiting Italian influence in Austria, it is an open question whether Schuschnigg and Reither are strong enough to maintain a government which is opposed by three of the most powerful groups in the country—the Socialists, the Nazis, and the Heimwehr. Should Schuschnigg fall, almost anything might happen. Radicals in the German Nazi Party would like nothing better than a renewal of civil disturbances. Although it is unlikely that Hitler would plan a second adventure immediately after his successful coup in the Rhineland, his hand may be forced by events. The danger of a Nazi coup within the next few months is greatly enhanced by the prevailing feeling that neither England nor France would resort to force to preserve Austrian independence. Mussolini, it is agreed, will fight rather than allow German troops to occupy the Brenner Pass. But the success of Hitler’s Rhineland coup has convinced many Nazis that France will not resort to arms unless assured of the support of England, and that England will not fight under

any circumstances. The fact that they are probably mistaken on both counts only magnifies the danger.

As long as the League of Nations existed as a potential instrument for mobilizing collective action against an aggressor, the position of Austria was reasonably safe. But for the moment at least the League has been shelved as an effective weapon. Italy’s withdrawal leaves only three of the seven world powers still represented at Geneva. Economic sanctions are difficult at best; they become impossible when a considerable proportion of the chief trading nations fail to cooperate. Italy’s triumph in Ethiopia and Japan’s unopposed penetration of North China have caused even the League’s most loyal supporters to become discouraged about the possibility of building an effective instrument of security in the present-day world. Guatemala’s resignation from the League may be the signal for a general exodus of South American states.

The eclipse of the League leaves Europe at the mercy of the fascist war-makers. In a world devoid of law there can be no security. Isolation is obviously impracticable even for a country like England; for little Austria it would be the height of folly. Efforts to strengthen national defenses can only intensify the horror of the ultimate disaster. Alliances may afford a temporary respite for great powers such as France and Russia, but in the long run they can only serve to transform every war into a world conflict. In lieu of a more hopeful course of action Prime Minister Baldwin, who is as responsible as any one man for the present difficulties of the League, has revived a movement for revision of the Covenant in the hope of thereby stemming the threatening tide of nationalism. By eliminating Article XVI—the sanctions article—Baldwin hopes to persuade Japan, Germany, Italy, and the United States to realign themselves with the League. The abandonment of Article XVI would preclude all attempts to enforce peace by coercion, but would preserve the League as an agency for conciliation.

While it is conceivable that the League might serve a useful purpose even without Article XVI, a wise general does not call for a strategic retreat when he is cornered at his last line of defense. Any modification of the Covenant at the present moment would be rightly interpreted in Rome, Berlin, and Tokyo as an admission of weakness on the part of the non-fascist countries and as an invitation to pursue their aggressive policies without restraint so long as they do not conflict directly with the interests of the other powers. To put it bluntly, it would consign all of North China, Mongolia, and Fukien to Japan, give Ethiopia to Italy, and allow Germany to absorb Memel, the Baltic states, and Czecho-Slovakia. The German-Italian differences over Austria might be patched up by a division of the spoils. Some pacifists would go so far as to say that such a development is preferable to a general world conflagration. Possibly so. But does anyone really believe that the appetites of war-makers become satiated with easy conquest?

There has been no period in recent history when the pessimists seemed to have things so completely their way. A few months ago there was at least a fighting chance of stopping Hitler by an overwhelming display of solidarity



against aggression. That chance is practically non-existent today. Hope is not, however, completely dead. The League has maintained at least a semblance of moral integrity in the Ethiopian crisis. Despite great pressure, sanctions have not been lifted against Italy. But if the League is to be saved, it will not be by negative action. Rigorous new penalties must be imposed against Italy if Hitler is to be impressed with the hazards of aggression. Any other course means certain war for Europe.

## Boomerang at Sea

THE strike of 374 seamen on the S.S. California in the harbor of San Pedro on March 2 has had almost as many reverberations as the shot heard round the world. It will be recalled that on the promise of a "square deal" by Frances Perkins the strikers, led by Joseph Curran, consented to sail the ship to New York. While the California proceeded round the coast Daniel C. Roper, one of the President's political fences on the right, accused the strikers of mutiny and called upon the Department of Justice to prosecute. Soon thereafter, with the front-page support of the New York newspapers and the self-righteous approval of the shipping companies, the Secretary steamed off on a red hunt in the name of safety at sea.

When the California arrived in New York, the agents of the Department of Justice failed to show up, but sixty-four seamen were docked in their pay and were given discharge notices amounting to a blacklist. The entire crew walked off and became the nucleus of a strike mainly against the International Merchant Marine, holding company which owns the Panama Pacific Line, the United States Lines, and other American steamship companies. The strike was also directed against a recently signed agreement between the national officers of the International Seamen's Union and the owners which disregarded the express orders of the membership that the new terms should match those of the West Coast award won by Harry Bridges and the Maritime Federation.

Since then some four thousand seamen have joined the Curran group, and though the International Seamen's Union still insists that it is an outlaw strike, the New York Times has been forced to recognize it; a transatlantic liner, the President Roosevelt, has actually been delayed in order to allow for an inspection of its personnel because the strikers asserted that inexperienced seamen were aboard; A. J. McCarthy, vice-president of the I. M. M., is trying to drown out the hue and cry over safety by howling "reds"; and the hitherto boring slogan of safety at sea has become a hot issue.

It was unfortunate for Secretary Roper that he selected the safety of passengers as the excuse for his attack on American seamen. He could not have foreseen that it might be a boomerang which would conceivably remove Mr. Roper from his control over the Bureau of Navigation and Steamboat Inspection, remove the bureau in turn from the influence of shipowners, and make American shipping really safe for both passengers and seamen.

In *The Nation* of April 29 M. R. Bendiner analyzed the cargo of favoritism, graft, and politics carried by the Bureau of Inspection under the command of Captain Roper. He pointed out, for instance, that the investigators who looked into the Morro Castle and Mohawk disasters were alarmed at the laxity in the government's specifications in ship construction. Testimony at a public hearing held by the National Committee on Safety at Sea bears out the strikers' charges that even the lax requirements of the bureau are evaded by the shipowners and that the inspection service is riddled with graft.

The National Committee on Safety at Sea was appointed by the President himself, and its Progress Report, issued on April 29, thoroughly demonstrates that the American merchant marine is shot through with abuses ranging from intolerable living conditions for crews to the limitation of liability for steamship companies and the deprivation of the passenger's right to a trial by court. The government, through subsidies, is heavily involved in American shipping and has both the right and the obligation to correct these abuses. Senator Copeland has just announced the formation of a committee to investigate personnel and living conditions on American ships, but the fact that it is scheduled to include such persons as Paul Scharrenberg, reactionary official of the International Seamen's Union, but no representative of the rank and file does not inspire confidence either in Senator Copeland's motives or in the committee's success. The danger is that the powerful forces which control American shipping will succeed in diverting the campaign for safety into a red-baiting attack on the maritime unions which have won at least a measure of control over working conditions on the West Coast and have set out to improve their status on the East Coast. In this attack the companies can count on the support of newspapers which have a stake in ship advertising and on all those elements opposed to organized labor.

It is time the President took a hand, since Secretary Roper will not. Obviously the first move should be a clean sweep of the Bureau of Navigation and Steamboat Inspection and the establishment of an agency entirely removed from political influence, properly equipped, and manned with a personnel subject to dismissal when regulations are not enforced. The second step is the passage of safety legislation which has been defeated in the past by the powerful shipping lobby. As for the problem of personnel, the passenger's best guaranty of safety lies in the establishment of a strong, responsible union dominated not by a few landlocked officials but by the men who actually go to sea, know its hazards, and themselves have a stake in safety as well as in steady jobs, decent conditions, and the sea as a way of life. So far the seamen on strike in New York have shown themselves far more responsible in matters pertaining to safety at sea than Secretary Roper or the shipping companies. They deserve public support both in their attempt to force the government to live up to its responsibilities and in their attempt to throw off the control of a few reactionary employer-loving officials who have for years "cooperated" with the owners at the expense of the membership. Above all they should not be made the red scapegoats for the sins of shipowners.



# WASHINGTON WEEKLY

BY PAUL W. WARD



*Fighting Ickes*

## Washington Shell Game

*Washington, May 17*

**J**EDGAR HOOVER, chief of the G-men, should turn his attention to Congress if he seeks replacements for his recently exhausted list of public enemies. A majority of the members of the House and Senate are getting ready to defraud the public that pays their salaries by grabbing their hats and rushing home without having taken the trouble to vote on a dozen or more measures in which their constituents are vitally concerned. Joe Robinson of Arkansas, leader of the Administration's forces in the Senate, sounded the call for this exodus when he proclaimed to his colleagues, "It is my desire that the session shall conclude its labors by June 6."

In that same speech he listed what he considered to be the only bills standing in the way of adjournment. These were the tax and relief bills, the omnibus flood-control measure, and the commodity-exchange bill. When they and such other bills as have already been passed by both houses and are in conference have been finally enacted into law, he said, the time will have come to adjourn without pausing to pass further legislation. Senator Wagner of New York protested that this schedule would exclude action on his and Representative Ellenbogen's low-cost housing bill. Robinson met his protest with a rebuke in which the majority leader said, "I think the Senator from New York has had sufficient liberal experience in legislative matters to know that it is a physical, moral, mental, and every other kind of impossibility to pass judgment on

whether a measure that has not even been reported by one of the committees of the Senate shall be disposed of during this session. So far as I am concerned I would not favor continuing the session beyond June 6 for the purpose of passing the bill to which the Senator is referring. I recognize its importance."

Space limitations preclude a listing of all the major bills his schedule would toss into the discard. Obviously it not only would kill the Wagner-Allenbogen bill but would save the Administration from having to bury it under the fraudulent substitute which Jesse Jones and the FHA boys have been getting ready for that purpose. It also would kill the various anti-lynching bills that have been introduced in both houses, as well as the various bills to reform the ship-subsidy system, which Mr. Roosevelt vocally loathes but painstakingly leaves untouched. The House has just reinserted in the Post Office Department appropriation bill the \$26,000,000 item needed for continuance of the present subsidies; the item had been struck out by the Senate to force action on reform legislation at this session. The Wheeler bill, instructing the Federal Trade Commission to protect the consumer instead of merely protecting business men from one another, also would be brushed into the wastebasket by Robinson's adjournment schedule, along with the Kerr-Coolidge immigration bill, the Bankhead farm-tenant bill, the La Follette civil-liberties-investigation resolution, and the United Textile Workers' bill for regulation of wages and hours in the textile industry.

The meaningless, duty-dodging adjournment rush will in addition lessen the chances of decent tax and relief legislation being passed by this Congress. The tax bill already is in such a tangle that it is all but impossible to make sense out of it, and the Administration apparently thinks it isn't necessary to make sense out of the relief bill. Roosevelt's statement on Friday that the provision of \$1,500,000,000 is for the exclusive use of the WPA and at the same time for the use of Ickes's PWA and Tugwell's Resettlement Administration as well was unnecessarily confusing. It meant only that in the public-works, work-relief, and relief fields Mr. Roosevelt is running a shell game. If you have ever seen the game, you know that three shells are used and the trick is to tell under which shell the pea lies. Taking the PWA and RA out of the picture would be taking away two of Roosevelt's three shells, and it no longer would be possible for him to hide the pea. He will keep the RA and the PWA, and they may even get some of the WPA's money, but they won't be able to keep much of what they receive; Roosevelt will flick the pea back under the WPA shell each time the audience's attention strays. He has been playing this little game with one variation or another ever since the New

Deal began. It is one of the reasons why of all the billions passed under the PWA's shell only \$1,250,000,000 has stuck there since 1933, and there never before was such need as now for playing this game of put and take. The \$1,500,000,000 will be barely enough to keep Hopkins's WPA show going until Congress meets again. That will be after election, and until after election the RA's boss is going to be Rex the Obscure. He is putting up no fight, for he wants to keep his job. He thinks Ickes's fight is foolhardy, but Ickes knows that Roosevelt does not dare fire him, and so he keeps on fighting.

## Champions of Poisoned Drugs

A SUBCOMMITTEE reported to the full membership of the House Interstate and Foreign Commerce Committee on Friday a revised version of the Copeland food-and-drug bill which the Senate passed last year. If its backers succeed in pushing it through Congress as it stands, Senator Copeland's name should be taken from the bill and supplanted by that of Representative Chapman of Kentucky, for Chapman, bringing integrity as well as intelligence to the measure, has transformed it by weeks of labor into an act that goes a long way toward fulfillment of the New Deal's initial promises in this field. The indications are, however, that when the full committee gets through with the bill it will be in such shape that Chapman will not want to claim relation to it. Judged by their votes in the bitterly argumentative executive session that began Friday and will be resumed tomorrow, most of the people's representatives on the committee believe that you dote on poison for breakfast, luncheon, and dinner, liking especially lots of arsenic and lead on your fruits and vegetables. They also believe, it seems, that in seeking to improve your appearance, you would rather risk disfigurement, blindness, and death than put the manufacturers of drugs and cosmetics to the risk of being honest with their customers. They think, too, that you would rather see babies suffer the agonies of asthma than put the makers of proprietary foods to the trouble of letting mothers know that their concoctions contain ingredients poisonous to certain children.

I say these things on the basis of the changes thus far voted in Chapman's bill by the committee, meeting in secret session. Its worst defilement of the measure—and one that, if left to stand, will make the bill not only worse than the Senate version but worse than existing legislation—is an amendment which says in effect that a food, drug, or cosmetic must be dangerous to the health of *any* user to be classified as "adulterated" and thus be made subject to strict federal regulation. It has not yet been possible to ascertain just which members of the committee are responsible for these betrayals of the public trust. Lea of California is known to be one of the Chapman bill's fieriest foes on the committee. Pettengill of Indiana is another who rates profits for drug racketeers ahead of consumer protection. Cole of Maryland also is reported to have constituted himself a champion of the drug lobby, although his opposition to the consumer interest has been tempered by support of the bill's provision giving the Food

and Drug Administration control over food, drug, and cosmetic advertising. The food and drug lobbyists need only a few resolute friends in the committee; the ignorance and indolence of the other members make them equally helpful to Charles Wesley Dunn, Frank Blair, and their colleagues in the industries held at bay by the threat of the Chapman bill. Crosser of Ohio, for example, believes in magnetic healing. And imagine trying to explain the importance of allergic reactions to Sadowski, the Detroit builder, or to Chairman Sam Rayburn of Texas. The committee members on whom the public will have to depend, it seems, are Reece of Tennessee, Huddleston of Alabama, Wadsworth of New York, Wolfenden of Pennsylvania, and Kenney of New Jersey, in addition to Chapman, and half of these six sit on the minority side as Republicans.

As reported to the full committee, the Chapman bill continued all the Copeland bill's advances over existing food-and-drug legislation. Its chief advance over the Copeland bill was its erasure of the Bailey amendment, which would force the government to bring an individual court action for each seizure it makes of misbranded goods. The Vandenberg amendment, requiring that all these cases be tried in the home district of the defendant manufacturer, also has been supplanted in the Chapman bill by a provision permitting trial in the judicial district adjacent to that in which the defendant has his place of business. Another major advance in the Chapman bill is a provision for grade labeling; it gives the Food and Drug Administration power to promulgate legal standards of both quality and identity. In addition, it would require the makers of patent medicines to file their formulas with the Secretary of Agriculture, and it eliminates the Copeland bill's provisions for committees of food, drug, and cosmetic manufacturers to superintend the bill's enforcement. Backers of the Chapman bill predict that they will get it reported to the House for a vote before the next week ends. They are fighting to get the bill through the House and to conference within the week so that final action on it at this session may be made certain and its death by adjournment averted.



Rex the Obscure



# The Corporate Tax Battle

BY MAX LERNER

**P**UT it down to Mr. Roosevelt's eternal credit that he has managed somehow to make a good show even of taxes. Here is a subject that has been handled in more or less routine fashion year after year, with the Treasury experts and the big financial shots dominating the scene and effecting a compromise between what was administratively necessary and what would least injure the delicate pecuniary nerves of the big owners. And, presto, this subject is whirled into the news in dramatic fashion, evoking the most emotional philippics and the most heroic defenses—the sort of thing that is generally reserved for boondoggling and Liberty League dinners and Supreme Court justices and the impounding of telegrams. In this dramatization Mr. Roosevelt has been impresario rather than actor. In making a big show out of the tax on corporate surpluses, he has of course had the help of the Republicans, the corporation heads, the campaign, the Supreme Court; possibly also the taut nerves of Senators, Treasury officials, witnesses, frayed by the incessant hammering of recent events; not least, the Washington heat.

But to grasp the forces at work behind the scenes, you must have seen them in dynamic form in the welter of a Senate committee room. Away from Washington, no matter how much you read and ponder over the testimony and the newspaper accounts, the thing somehow fails to come to life. You say to yourself: this pother over a six-hundred-million-dollar budget item—big as it is—is out of proportion to its budgetary importance. The struggle must have some other meanings, some other roots.

It was the desire to discover what they are that sent me to Washington. I had been informed that on Tuesday, May 12, Treasury Counsel Herman Oliphant would be given a chance to answer the barrage of objections to which his bill had been exposed. I believe I must be the only mortal who ever traveled to Washington to get closer to a tax hearing out of sheer intellectual passion. I wanted a ringside seat at the tax fight. Others might pick Joe Louis or Tony Canzoneri, mauling a hapless victim in the glare of the arc lights while thousands cheer. I picked Mr. Oliphant and Senator Byrd, both stripped (intellectually) to the waist in a hot committee room, fighting over the corporate surplus tax with no one cheering, and with only a tableful of yawning newspapermen and a scattering of others there to see the carnage.

You come into a room already half-filled with smoke. At one end a raised platform of horseshoe formation, and behind it the members of the Senate Finance Committee, posing a little—as the Roman Senate did—as an "assembly of gods," and a little as a group of American "regular fellers." Pat Harrison, of Mississippi, in the

chair. He turned out what I thought was a consummate bit of chairmaning. At the bar, facing Harrison and with his back to the newspapermen and spectators, stood Herman Oliphant, treasury counsel—more responsible for the fate and character of the bill than any other man in Washington. He spoke slowly but with a bitter intensity, like someone at bay. For months he has been the target of attack, not only from the Republicans but from within the Administration itself. He is a little man, with a bullet head, eyes sunken but flashing, finely chiseled features. Most of the time he speaks straight at the Senators, but when he has something to say that he regards of particular importance he swings his body slowly around and faces the newspapermen and spectators. It is hard to meet the glance of those eyes, but easy to read almost anything into them—certainly zeal, tenacity, conviction. He is a former law professor at Columbia and Johns Hopkins who, as law professors must, knows the corporate structure. I have a suspicion that he takes the New Deal seriously.

The whole episode started, of course, when a soviet of judges and soldiers combined to take over the budgetary reins from the hands of the constituted authorities. The Supreme Court had declared the processing taxes invalid in the Hoosac decision, and then the veterans had marched in and mopped up after the court by getting their bonus. Since the Republicans had openly rejoiced over the foray of the judges, and aided the foray of the veterans, they were in no position to raise an outcry when the President and his financial advisers looked about for ways of restoring the raided revenue. Actually they were a bit happy about it. Taxes are never popular, and raising money is a poor way of enhancing your political prestige. They felt that they had the President in something of a hole. If he did not succeed in balancing the budget, they could raise the Landon-Hearst cry of extravagance; if he did, it would necessarily involve "nuisance taxes," and cost him votes. There was dark talk of having to make a choice between a sales tax and an increase of the income tax in the lower and middle brackets. When, therefore, Mr. Roosevelt sent his special tax message to Congress on March 3, his novel tax proposal found the country dazed. The only people who knew what to say were the Republicans, but they said it more out of principle than understanding: it was enough for them that the source was satanic. The Democrats, on the whole, tended to stand behind the proposed measure—for the same reason reversed.

What sort of tax universe was the proposal born into? Obviously the rapid growth of the corporation in the last few decades has cut under the entire tax structure of the country. What had formerly been more or less tangible income now became intangible claims to income. A mechanism which in its construction has engaged the best legal



resources of the country was bound to create problems both for Treasury officials and for the state as a whole—problems of the concentration of financial power, the wresting of control from the investors, its capture by a small group of insiders who often used it in the manipulation of securities and in a ruthless march toward monopoly. One of the central features in this picture of corporate control has been the accumulation of a huge corporate reserve. Complaints had for years been pouring into Washington pointing to the abuses of such a surplus. It was a happy coincidence, therefore, when Mr. Oliphant's analysis of the possible sources of new revenue fixed upon business profits as having advanced farthest in the movement toward recovery. His proposal to place a heavy graduated tax on the corporate surplus seemed to offer a chance to combine a sound revenue objective with a needed social objective.

The present corporation tax is not very fruitful of revenue. It is an attempt to tax at the source only, and not a very successful one. A tax ranging from 12½ to 15 per cent is levied on the net income of all corporations. Under Section 102 of the present law, any corporation which is *prima facie* a holding company created for the purpose of tax evasion, or any corporation accumulating capital beyond the reasonable needs of its business expansion, is held subject to a tax penalty. But what constitutes a reasonable reserve is, of course, a question so subjective as to elude even the most competent tax administration we have had thus far. A common device among the big corporations is to place accumulated reserves in the hands of holding companies created for that purpose, and whenever the pile reaches dangerous proportions a reorganization is quietly effected and the entire process begins again. Thus far administrative difficulties have prevented the enforcement of this section. The Aluminum Company, owned by Mr. Mellon, can for example make out a very good case for large reserves as necessary for expansion, and it would take an extremely persistent and clever revenue agent, as an outsider to the affairs of the company, to break through the company position. The Internal Revenue Bureau once selected for study a number of cases of this sort, and after considerable scrutiny it was clear that in the present situation very few would stand up against a cold denial and a clever exposition on the part of the corporation officials. But as far as the strictly legal situation goes, a distinction must be made between the stockholder suits to compel the distribution of dividends, where the courts are reluctant to interfere in corporate matters, and cases where the government itself is a party to the suit.

The most fatal blow struck at the proposed measure was the impressive array of witnesses who appeared to testify against it. The political astuteness of the plan from the very start had rested on the fact that while every tax measure had to cause pain somewhere, the pain in this case would be visited on those who were already anti-Administration. Opposition from the business interests was of course expected. What was not expected was its volume and unanimity and the form it took. It was not just the tory attack of big corporations. It became apparent that the attempt to get at the corporations that evaded

a surtax on their undistributed profits would in the process sideswipe the smaller corporations which were in genuine need of building up surpluses. The case was stated most clearly and cogently in the climactic testimony of George O. May, whose prestige in the financial and accounting world is unsurpassed. He not only spoke caustically of the "slaughter of the innocents" that would follow on the attempt to get at the malefactors, but also challenged the Treasury estimates of the probable yield of the tax. The government forces, facing the enemy fire, could not hold their lines intact. In the House committee only one Democrat, Representative Lamneck, deserted, but in the Senate committee the revolt took on serious proportions. The conservative wing of the Democrats broke away from the Administration wing and joined the Republicans. Byrd of Virginia, Bailey of North Carolina, and Clark of Missouri, a trio of able Democrats, led the defection.

What I was witnessing in the Senate committee room was the last attempt of Senators Harrison and Barkeley, the Administration stalwarts, to salvage the principle of the bill by calling Mr. Oliphant before the committee to deliver a final plea. It raised far-reaching issues of policy and tax structure. They may be roughly grouped under four headings: the philosophy of a tax on corporate surpluses; the relation of such a tax to the corporate structure and the principle of corporate democracy; the question of the relative effects of the tax upon the large and the small corporation; the effect of the tax upon the economic structure as a whole and upon the business cycle.

As regards the philosophy of the tax, the Administration finds itself in a ticklish position. The corporate-surplus tax fits integrally into the logic of the New Deal. In addition to the raising of revenue, it has four non-revenue objectives—reforming the corporate structure, protecting investors, putting individuals and partnerships on an equality with corporations, forcing the distribution of corporate income and therefore the more rapid circulation of purchasing power. These are an essential part of an administrative policy which has created a Securities Exchange Commission, sought to regulate the more flagrant malpractices of corporate finance, pushed through the Public Utility Holding Company Act, and emphasized the purchasing-power theory of prosperity and depression. Mr. Roosevelt has been praised and attacked for his political astuteness in proposing such a tax, since it got him out of a serious budgetary difficulty. But this measure was not merely a Roosevelt trick. Mr. Roosevelt has generally been found to play the politician in what he fails to do rather than in what he does, in his retreats rather than his attacks. The real political astuteness of the measure was that it was intended to jibe with the concern that the Administration has always had for the small investor and small business man and to carry that concern into the field of taxation. The focus of Mr. Roosevelt's policy is neither the finance capitalist nor the worker; it is the investor.

The basic weakness of the plan, however, lay in the fact that its two objectives—raising revenue and reforming the corporate structure—did not quite coincide. This

was most clearly brought out in the verbal tilts between Senators Byrd and Bailey, on the one hand, and Mr. Oliphant and Senator La Follette, on the other. With impressive tenacity Senator Byrd clung to his contention that the plan would injure the small corporation and favor the larger one. The large corporation is obviously in a much better position to distribute its entire income and thus avoid the payment of a tax completely. Mr. Oliphant's reply that government would get its revenue from the individual incomes taxes of the stockholders was satisfactory from a revenue point of view, but inconclusive from a social standpoint. What had evidently happened was that in order to meet his revenue objectives, Mr. Oliphant proposed removing the existing tax on corporate income; but in the process he was defeating his social objective.

This was a fatal error in strategy, for it gave the conservative forces exactly the handle they were seeking. Senator Byrd, who has been anti-New Deal from the very beginning and who has played closely with the big interests, now stepped forward in a surprising role as the champion of the rights of the little fellow. Senator Bailey of North Carolina, who stands for the big tobacco interests of his state, if he stands for anything, vied with his Virginia colleague in the unction he showed in defense of their new cause. Senator King of Utah, who throughout the afternoon ranted in spread-eagle fashion and made no point that he did not botch and befuddle, found himself surprisingly swelling the chorus of so-called "liberal" protest.

This leads us to the final issue of the effect of the tax measure on the structure of business prosperity. This issue cropped up time and again in the argument about the desirability of encouraging savings and the need for reserves as a cushion against depression. Mr. Oliphant pointed out that the argument about savings would apply equally to a reduction of the individual income tax; that if savings were needed for reinvestment it would be a simple device for a corporation to declare a dividend and for the stockholder—especially in the case of the small corporations whose stock is closely held—to plow the dividend back into more stock. Ultimately the argument came back again to a question of corporate democracy. The opponents of the bill insisted that once a dividend was declared it was doubtful whether it would ever find its way back into investment, since the flotation of new stock might be difficult or the tendency to spend the income prove overwhelming. Here Senator La Follette invariably took his stand on the ground that such a decision was for the stockholder himself to make, and that he was a better judge of his own interests than some member of an inner corporate directing group. Even more important than these arguments is the growing conviction among our economists that we suffer from too much saving rather than too little.

As we go to press the outlook for a corporate surplus tax is dark indeed. The primary objective of corporate reform which gave importance to the original tax proposal, whatever its shortcomings, has now vanished. All the talk now is, what will raise the revenue? The committee celebrations seem to point to (1) a slight increase of the cor-

porate income tax to 18 per cent; (2) a small 6 or 7 per cent surtax on undivided profits; (3) a raise of the individual income tax from 4 per cent to 5 per cent. This confirms again my conviction that there has never been an income-tax bill framed yet that wasn't a series of weak compromises and crudely concealed surrenders. The Republican members of the committee know that an increase in the individual normal tax is likely to weaken Roosevelt's support in the election. If that happens, it will be a fitting climax to the series of blunders which has marked the handling of the proposal thus far. It would be indeed an irony if the heralded Democratic reform in the tax structure and the corporate structure should turn out to be in the end nothing but a preliminary approach to a raising of the income tax.

If the Administration keeps clearly in mind what it is driving at, the framing of a tax measure does not present insuperable difficulties. The primary objectives are three: to produce the needed revenue; as far as possible, to force dividend distribution along to the stockholders, without affecting the smaller corporations adversely; to prevent the accumulation of huge reserves on the part of the large corporations, with the resulting tax evasion, oversaving, and corporate manipulation. One essential in any tax proposal is that the present corporate income tax should not be removed or decreased. To it should be added a tax on all corporate surplus, large enough to be persuasive but not such as to embarrass the small corporation. A second is the removal of the exemption of the individual taxpayer from the income tax on dividends: thus the dividends whose distribution is forced along will finally yield tax revenue. A third is the enforcement of Section 102 of the present revenue law with a heavy penalty surtax on the unreasonable surplus. I am convinced that in their zeal to find another method for getting the revenue, the Treasury officials have disposed too summarily of the possibility of revising Section 102 and putting teeth into it. For example, the exemption of corporations with a relatively low income from the operation of the penalty surtax on undistributed profits will ease the administrative problem considerably; a rule that any corporation distributing a very high proportion of its profits (to be set by the Treasury) will be deemed to have a reasonable surplus will ease it further. What remains is a problem for administrative ingenuity. If this section can be rigorously enforced, it should serve to penalize the improper accumulation of surpluses, which is after all the principal reform aim of the House bill.

Regardless of what the Senate committee does, the corporate-tax battle is not over. There remains the conference committee of the two houses, and there remains also the President. An abandonment of the principle of penalizing large surplus accumulations may mean an early adjournment of Congress, but it will also mean a betrayal by Mr. Roosevelt of his own reformist philosophy. He is strong enough to apply pressure, if he is willing to exert his strength. If he yields, it will be a proof that only a genuine labor Administration will ever have the courage to place the tax burden where it belongs, and to use the taxing mechanism for making sense of the economic structure.



# Treason Among the Future Veterans

BY JAMES WECHSLER

A SUCCESSION of recent events has revealed a growing disparity between the "national commanders" of the Veterans of Future Wars and their undergraduate followers. So pronounced has this breach become that the summoning of a national convention, said to be planned for early September, may end the rule of those who launched the project. They are now conspicuously out of step with their organization. Wholesale treason is discernible in the ranks. Unless the situation is miraculously altered, the leaders are doomed to become Veterans of a Future Insurrection.

It is now clear, in the aftermath of "the biggest publicity stunt since the World War," that the V. F. W. was inspired by a group of conservative Democrats at Princeton whose prime mission is to defend the United States Treasury against all intruders. With happy optimism they envisage themselves as the nation's "future taxpayers" and hence as victims of all "Treasury raids." Dismayed by the passage of the bonus bill, they created the V. F. W. as an anti-bonus burlesque, providing free entertainment for all, publicity for its founders, and copy for starving Princeton newspaper correspondents.

The response which greeted them undoubtedly exceeded their expectations—and their desires. The birth of National Commander Gorin's idea was followed by a deluge of fan mail probably equaled only by that which greeted the birth of Mrs. Dionne's quintuplets. Utterly indigenous in theme and language, the project satisfied the lust for sensation with which Americans are perhaps peculiarly endowed. Satirical and pointed, lacking any complex political terminology, the V. F. W. quickly spread far beyond the campus.

All this was no doubt gratifying to the commanders except for one rather crucial detail. While scores of local "posts" were emerging on campuses throughout the country, virtually none of them shared the anti-bonus enthusiasm of the Princeton officials. Those who rallied to the movement did so because they saw in it a devastating criticism of war. Students who had heretofore remained unresponsive to anti-war propaganda were stirred by a movement which captured their imagination as well as their intellectual approval. The V. F. W. was a rollicking yet essentially sober instrument for a thrust against the war-makers. So plain and widespread was this recognition of its possibilities that the stuffed shirts quickly betrayed panic. Mr. Gorin was labeled a red. There were frightened outcries in women's clubs and D. A. R. chapters. A Hearst reporter was dispatched to Princeton to "expose" Moscow's latest maneuver. All that he found was a bewildered array of conservative Democrats battling valiantly against a bonus bill which had already been safely enacted.

There were those, however, who got Mr. Gorin's point

and expected even greater things from him. The American Veterans' Association, extreme right-wing of the veterans, bestowed sympathetic attention upon the plan and sent its national commander to address the opening rally at Princeton. Some sections of the conservative press, undaunted by the cries of "red," hailed the venture as a springboard for renewed criticism of New Deal "extravagance." Bernarr Macfadden was elevated to the post of commander of "physical fitness." William Randolph Hearst declined to serve as honorary national commander, but with profuse thanks.

The V.F.W. leadership, though it made a vigorous attempt to maintain the atmosphere of buffoonery, felt these pressures. While conservative journals urged it to carry on the anti-bonus campaign, a preponderance of the student membership impatiently demanded a statement of position on the April student peace strike. Having enlisted in the V. F. W. on the assumption that it was an anti-war enterprise, they regarded the strike as a logical next step. These were distressing developments to the Princeton officialdom. On visiting their headquarters I was assured that they didn't "want to offend anyone." They were, I was informed, building a large organization; "when everybody is in it we'll see what they agree on and draw up a program." Terrified by the "red" label, they were desperately avoiding any further commitments. They stubbornly refused to criticize American war preparations. They would not challenge the expansion of the R. O. T. C. They were determined to refrain from any indorsement of the student peace demonstrations.

But on April 22 Mr. Gorin partially abandoned his reticence. In an Associated Press interview he was quoted as upholding "necessary" and "rational" wars to which students could legitimately give their support. This, of course, was an implied attack on the Oxford pledge, one of the central declarations of that day's strike. While Mr. Gorin was extolling "rational" warfare, however, a chapter of the V. F. W. at Kansas was being attacked with tear-gas bombs for holding an anti-war meeting, the commander of the V. F. W. at Ohio State was being reprimanded for leading a "corpse" with a placard "Enlist Now" in the R. O. T. C. parade, and several leaders of the DePauw post were threatened with loss of their degrees for supporting the strike. These incidents were typical of many which showed that the V. F. W., in most of its local branches, had become an integral part of the student peace movement. Often they rescued the peace strike from the peril of solemn monotony and routine, injecting a colorful note and translating peace slogans into persuasive American idiom. There are, of course, campuses on which V. F. W. posts have supported the anti-bonus plank of the founders, but these are exceptions. The

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growth of the V. F. W. has revealed an encouraging disbelief in the glories or sanctity of war. There is unanswerable irony in a parade of Future Unknown Soldiers.

However much these tendencies may gratify liberals, they have thus far made no evident impression upon the national commanders. Mr. Gorin has just published a book devoted entirely to a denunciation of the "bonus grab." Nowhere in this "true story of a sensational youth movement" do its real character and meaning appear. Nor have the recent utterances of Mr. Gorin's cohorts revealed any sensitivity to the situation. It is apparently their determination to pursue their original idea while the membership

moves in an opposite direction. Whether the V. F. W. will survive the summer is highly dubious; its potentialities may be already exhausted; perhaps the joke requires new inspiration. If the movement lasts, several stormy sessions will be on its agenda. The policies of the leaders have evoked growing dissatisfaction. Their unwillingness to "offend anyone" has deprived them of long-term purpose and program. It is not valid to assert that they have fled into the arms of fascism. They have fled into the arms of fame and are reluctant to give up the embrace. So imaginative and lusty a creation as the V. F. W. merited a more courageous, idealistic parentage.

## The Austrian Volcano

BY M. W. FODOR

Vienna, May 4

AUSTRIA today is faced with a danger the exact nature of which is known to nobody but is feared by all. Two factors make this fear worldwide: First, Germany's remilitarization of the Rhineland shows that Hitler is determined at any risk to carry through the program he advocated long before he came to power, and part of this program is the unification of German-speaking peoples. Second, Austria's unhappy internal situation offers the Nazis an opportunity to do their underground sapping more thoroughly than would be possible if the Austrian government rested on a broader popular base.

Hitler's march into the Rhineland completely changed the European situation, especially in Central Europe. The attempt to bring about a similar *fait accompli* in Austria would seem to be the logical next step. One suspects that Hitler is a little disappointed over the result of the Abyssinian adventure. He hoped that Italy would bleed so nearly to death in Ethiopia that Mussolini's power on the Brenner Pass would become negligible, and he expected that League sanctions would lead to war between Italy and Great Britain. It now seems quite possible that Mussolini will emerge from the African conflict with unimpaired strength and that the Stresa front will be reestablished. All the more reason for seizing upon the present as the time to act in Austria. The Wilhelmstrasse and the Reichswehr are against such an adventure, but they also prophesied that disaster would result from Germany's adoption of conscription last year and from the reoccupation of the Rhineland a month ago. And their prophesies proved false. On the other hand, Italy is not France or Britain. These two countries would go to war only as a last resort. Italy is ruled by a desperado with the same mentality as Hitler's. Hitler knows very well that if German troops should march into the Tyrol or Salzburg, Mussolini would not hesitate to mobilize his army as he did on July 25, 1934.

Austria's internal situation is equally fraught with danger. The present Schuschnigg-Starhemberg government

enjoys little popularity—which in all fairness might have been said of almost any Austrian government for years past. The Austrian people, though intelligent and possessing artistic talents of a high order, are almost entirely without political insight. They are intensely individualistic, by temperament anarchists rather than law-abiding citizens. But it must be admitted that the political platform of the Schuschnigg government is such as to receive only very slight popular support. The Nazis and the Socialists, each claiming the adherence of at least 30 per cent of the population, are sharply opposed to the present government, and even the supporters of the government are torn by quarrels within their ranks.

The truth is, of course, that there is dissension within every dictatorship. It is a fallacy to believe that a dictatorship which nominally abolishes parties actually exterminates them. The parties, as far as their visible existence is concerned, disappear, but they continue to function either as factions within the government itself or as illegal organizations. In the Austrian Fatherland Front three groups can be distinguished. On the extreme right is the Heimwehr, composed of fascists in the Italian sense; in the center are the Catholic Clerical reactionaries; the left wing is made up of semi-democratic Christian Social reformers. Prince Ernst Rüdiger von Starhemberg leads the right wing; Dr. Schuschnigg is the man of the center; while among those who demand democratic methods and reforms are the Minister of Agriculture, Ludwig Strobl; the Minister of Social Welfare, Dr. Ludwig Dobretsberger; the Governor of Lower Austria, Josef Reither; and the leader of the Catholic workers' organization, Leopold Kunschak.

The breach between the Heimwehr and the left wing of the Fatherland Front is irreparable, and it has placed the Heimwehr at loggerheads with both the peasants and the Catholic workers. Prince Starhemberg and Governor Reither have distrusted each other as long as the Fatherland Front has been in existence. The Prince has stood for fascist totality; Reither is for democracy and self-determi-

nation. Both have pretorian guards to support them. Starhemberg commands the Heimwehr; Reither holds the allegiance of a large section of the Sturmscharen, which nominally have disarmed but in reality have kept together pending the date when the Heimwehr is also disarmed.

An equally sharp conflict exists between the Heimwehr and the Minister of Social Welfare, Dr. Dobretsberger. Dobretsberger, a close friend of the late Chancellor Dollfuss, intended and still intends to introduce democratic elements into the Stände-Staat constitution and tries to pacify the workers by granting them concessions. He hoped to improve their lot somewhat through the medium of the Einheitsgewerkschaft, a single, all-embracing, government-controlled trade union. When the automobile workers demanded higher pay (their wages have been cut 40 per cent during the last two years), Dr. Dobretsberger encouraged the Einheitsgewerkschaft to take up the workers' cause. But the industrial federation, led by prominent Heimwehr members, defeated the wage demands, and the leaders of the union were dismissed though they were members of the Fatherland Front. This brought so sharp a difference between Herr Mandl, the chief armament manufacturer in Austria and leader of the reactionary industrialist group, and Dr. Dobretsberger that the latter's early departure from the government is a foregone conclusion.

The affair of the Phoenix Life Assurance Company has created another complication. The Phoenix, the largest company of its kind in Austria, collapsed some weeks ago. The collapse was inevitable, for the Phoenix was the heritage of the old empire, calculated for the needs of a monarchy with 55,000,000 inhabitants, and it was miraculous that it lasted as long as it did. In fact, the error of not liquidating it some nine years ago when the troubles of the company first became known added to the final catastrophe. But when the end came, a list containing the names of those who had received bribes, engaged in improper speculation, or received too high salaries was dis-

covered. Rumors about this list involved many prominent persons connected with the government or with the regime. Dr. Schuschnigg, whose honesty has never been questioned even by his opponents, promised a ruthless exposure of the culprits, and the results of an investigation were published. Though it was felt in some quarters that the list was not complete, its publication helped to calm public excitement over the scandal. In consequence of the exposure, the former Chancellor, General Karl Vaugoin; the Heimwehr leader, Count Botho Coreth; the famous commander in the World War, Prince Schönburg-Hartenstein; the leader of the Austrian Tourist Traffic Association, Strafella; and many others had to resign their positions in the corporative state.

In addition to these conflicts within its own Fatherland Front, the government has had to face the constant propaganda of the Austrian National Socialists, designed to weaken its position. Every divergence of opinion in government circles is magnified into a sign of weakness and decay. Constant rumors about impending government changes help to create the impression that the days of the government are numbered. And the actual quarrels among the ministers, emphasized by Starhemberg's sharp speeches, benefit the Nazi campaign of sniping. The Nazis are also helped by the censorship, which is clumsily and unwisely handled. The suppression of all manifestations of unrest or criticism in the newspapers has caused the people to doubt everything they read and to seek real political news in illegal propaganda sheets like the Nazi *Illegale Korrespondenz* or the Socialist *Arbeiter Zeitung*, which are secretly printed and distributed. Skilful and widespread Nazi rumors supply the rest of the "news."

The Nazis themselves are not strong enough to deliver a telling blow against the present regime. Despite the weaknesses of the Fatherland Front, the government still has the situation in its control and could easily suppress a Nazi uprising because of the disorganization in the Nazi ranks. It is believed by well-informed neutral observers that even a march into Austria of the Austrian Legion—recruited from young Nazis who escaped from Austria to Germany and about 13,000 strong—could be successfully suppressed by government troops. Only when Germany decides to move the Reichswehr into Austria will the catastrophe really begin. In Austria there is a firm belief that Hitler realizes the danger of such a step. It would undoubtedly be the signal for a world war, for Italy would immediately go to Austria's assistance and not single-handed.

The Austrian Social Democrats are convinced that only one solution can be effective for Austria, the neutralization of the country after the pattern of Belgium. A neutralized Austria would mean peace in Central Europe. Austria is the bone of contention not only between Italy and Germany but between Italy and Yugoslavia. Since the Italian-Yugoslav frontier is impenetrable, an Italian offensive, in the event of an Italian-Yugoslav war, could be made only by a march through Austria. If Austria were neutralized, such a movement would be impossible, and *faute de mieux* Italy and Yugoslavia would be compelled to effect a reconciliation.



"Just a minute, Ladies and Gentlemen. Following our tableau 'The Rhineland,' we will present two sensational numbers entitled: 'We Want Colonies,' and 'Austria Belongs to Us.'"



# Vermont: State of Anarchy

BY A SPECIAL CORRESPONDENT

Barre, Vermont

THE staid old New England state of Vermont has broken loose from its stiff crinolines of law and order and gone anarchist—anarchy is used here in its literal dictionary meaning of “absence or utter disregard of government.” The anarchy now prevailing in Vermont was not induced by “mobs” or “the rabble.” On the contrary, the best people and the best churches are numbered among its adherents; and with only a very few exceptions the officials condone the new regime by their silence when they do not openly advocate it.

The thing began when the Vermont Marble Company in Rutland County disagreed with its employees. The company was paying extremely low wages. Statistics show that wages in the granite industry in Barre are approximately twice as high as in the marble industry in Rutland County. For a year and a half the employees of the company tried to get their wages raised by negotiation. After all, these employees are conservative and sober Vermonters of the old school. They also attempted to get the controversy settled according to labor laws which were designed to meet just such problems. In Chapter 269 of the Public Laws, for instance, is a statute requiring the Vermont Commissioner of Industry to make an investigation in any dispute and “publish a report finding such cause and assigning such responsibility or blame.”

When, after a year and a half, negotiations failed, 600 workers in five Vermont towns went on strike. That was in November, 1935. As for the investigation required by law, the Commissioner of Industry claims he made one. But there is evidence to show that he “investigated” by spending the scanty daylight hours of one winter day at the scene and then publishing the canned statement of the Vermont Marble Company as his report; he also included extracts from the news columns of the *Rutland Herald*.

The laws of Vermont also empower the governor on his own authority to investigate any controversy that in his opinion “seriously affects or threatens seriously to affect the public welfare.” In Rutland County the 600 marble workers who went on strike at the beginning of the bitterest winter New England has had in years are still out. Purchasing power in the community has been throttled, and merchants are losing heavily. Seventy children in one school in Danby had to be provided with clothes by order of the school superintendent. The district attorney of Rutland brought pressure on the overseers of the poor to provide relief to the destitute strikers, although a marble-company official, who was also an overseer, protested. Federal relief, meanwhile, was scanty and its administration highly partial.

When the strike had been in progress two months an appeal for a genuine investigation was made to the Gov-

ernor. He neither declined nor acceded, and nothing happened. Then a petition bearing more than a thousand names was presented to him. Again there was no reply from the Governor. His Commissioner of Industry, however, stated that the law did not apply to the present strike.

Certainly it would have been embarrassing to the Vermont Marble Company if it had been compelled to testify under oath to the statements it had given out freely to the press. The company denied, for



instance, that it had ever paid any employee less than \$5 as the balance due him on his weekly pay check. The employees promptly produced scores of canceled company checks for amounts ranging from two to twenty cents and more, but all of them for much less than \$5; they even produced a stack of little yellow company forms showing that many men were paid nothing at all after company charges had been deducted for rent, light, and even, in some instances, for the pasturage of the family cow.

These little yellow slips reveal more than one significant item. Here is a sample.

*Vermont Marble Company—Identification Slip for Week  
Ending Nov. 7, 1935  
5212—Mike Boleson*

Disability Insurance	.....	
Rent, part	...\$2.52..	No Check
Water	.....	
Lights	.....	
Bank Deposit	.....	
Retirement Premium (pension)	.....	

Mike Boleson was one of those who worked and was paid nothing to feed his family. But from the point of view of law and order the first item on the slip is even more interesting. Section 6570 of Chapter 264 of the Laws of Vermont expressly prohibits any agreement by an employee to pay any portion of the cost of insurance of any kind maintained or carried by an employer; it further provides that an employer who makes a deduction for such purpose from the wages of an employee is subject to a fine of “not more than five hundred dollars.” More than one employee of the company has testified that the fee for insurance is collected, law or no law, by the Vermont Marble Company.

The employees finally appealed to the United States Department of Labor, and a Commissioner of Conciliation came to Vermont. The company officials received him

politely but implacably. It was doubtful, very doubtful, whether the dispute was within the province of the United States government. It was a state affair. They had special deputies sworn in and the situation was well in hand.

The story of these special deputies throws a strong light on the attitude and the power of the company. Over the protest of the district attorney from eighty to a hundred deputies were sworn within twenty-four hours after the strike began, although there had been no hint of violence. Among the deputies were two sheriffs from adjoining counties who had been elected and were being paid by the residents of their respective counties. Half the deputies were paid by the state out of a special fund administered by the Attorney General. When this fund was exhausted—the cost was approximately \$1,800 a week—the legislature obligingly made an appropriation amounting to more than \$18,000, thereby relieving the Vermont Marble Company of maintaining its own private guards. There was no violence before the deputies were sworn in. There has been no violence since then on property owned by the company or abutting upon it. The only clashes that have taken place between the deputies and the strikers have occurred when the deputies have made sorties, en masse, into the town. There has also been some dynamiting. In general, the explosions of dynamite caused loud noises but no property damage. They did make excellent propaganda against the strikers. One charge of dynamite, for instance, was placed on a railroad track in such a way that it could only blow out the dirt between the ties; another splintered the base of a wooden pole on a company power line, but the pole was supported by a second pole so that it could not possibly have come down. In an explosion which occurred on a company bridge at two o'clock on a December morning enough dynamite to wreck a blast furnace was used. But it did practically no damage; and for some reason the dynamiter, allegedly a striker familiar with company property, had selected an unused bridge rather than one a half-mile away whose loss would have seriously crippled operations.

The bridge explosion was notable in other ways. The special deputy sheriff in charge of the company deputies knew of it within ten minutes, though he was twelve miles away at the time and no company man was within a third of a mile of the bridge when the blast went off. Moreover, it was a dark night and no flames followed the explosion. That any deputy could know *what* it was and *where* it was is a matter for admiration and wonder. Nevertheless, by four

o'clock—it was still as dark as the inside of a cow—the mind-reading sheriff had arrested two strikers by identifying the prints of their shoes in the light spit of snow that lay on the ground. The sheriff further identified the culprits by the tread of a Ford automobile, admittedly theirs, which he was able to detect, by some mysterious sixth sense, in a traveled road near the scene of the explosion. The two prisoners were held in bail for the grand jury and then indicted.

At the trial it was brought out that the shoes of the accused men were thirteen and one-half inches in length, whereas the footprints in the company's photographs were only eleven inches long. Also by accident it came out that witnesses for the company had failed to mention the only clear photograph among the many devoted to the prints of automobile tires. This picture showed the pattern of a tire tread entirely different from that of the tires on the car of the two accused strikers. Reluctantly the company witnesses admitted that all the photographs they had produced were likenesses of the same rut in the road. The strikers were acquitted.

On March 2 there occurred a fracas so trivial that the district attorney entered it for trial as "intimidation of a company employee." At that point the Attorney General appeared and ordered the charge altered to breach of the peace, which, in Vermont, is a charge that can include anything from spilling a garbage can to manslaughter. One man was tried on the charge. The jury disagreed, six to six. The Attorney General then ordered the case tried in the County Court and indicted five men on the same charge. Under Vermont procedure each County Court has two lay judges; the third must have had legal training, but the two lay judges can outvote him on any question. The men were promptly convicted and sentenced to from one to two years in state's prison. Pending appeal the judges were asked to stay execution. The request was denied, although such a stay has never been refused before, and the strikers' terms began at once.

It must be clear to any ordinary citizen that the "public welfare" of Vermont has been affected by the controversy

between the Vermont Marble Company and its employees. The normal life of one whole community has been disrupted; the laws designed to protect the rights of citizens have been flouted by those sworn to enforce them. But Governor Smith has not yet seen fit to order the investigation which the laws of his state plainly authorize and which a wide section of public opinion demands.



Strike Call

Drawings by Dan Reed



# Issues and Men

BY OSWALD GARRISON VILLARD

THE pre-nomination situation of the Republicans gets steadily worse. Senator Borah has not done as well as he gave promise of doing a few weeks ago. The defeat of the Hearst-Landon combination in California has not helped Landon despite the hullabaloo to that effect from the Governor's friends. That he ever could have accepted Hearst's support is the measure of the political vision and ability of the Chief Executive of the state of Kansas. So we are within a couple of weeks of the opening of the Republican convention with no outstanding candidate in sight. If the convention does take Governor Landon it will obviously be simply because, in the absence of any outstanding figure, he has drifted into a more favorable position than anybody else. What a plight that is for the party of which Elihu Root boasted some twenty years ago that it alone was fit to rule!

Now the danger of all this is a serious one—that the powers that be in the convention will repeat what happened when Harding was nominated in 1920. They are quite likely to fish out of the grab-bag at three o'clock on Saturday morning in some private room Senator Dickinson of Iowa or Senator Vandenberg of Michigan. The latter choice would be negatively good, for Senator Vandenberg is a pleasant, kindly, rather attractive person, broad enough to admit that at least half of the New Deal program was entirely justified, even from the Republican point of view, and that that portion of it must be retained. He is not a big man or a dominating personality, but he is far more sympathetic to liberal ideas than are the run of Republican Senators. The choice of Senator Dickinson, however, would be an unqualified misfortune, for he is a complete reactionary, a red-baiter, and an absolute opponent of the liberalism of Franklin Roosevelt. He is essentially of that Republican Old Guard which ought to be driven out of the party at the earliest possible moment if the party is to survive. Actually there is a great deal of under-cover work being done in business circles in New York and Chicago looking to the choice of this Iowa Senator. From the Roosevelt point of view it would be a fortunate choice, because Dickinson would drive many liberals who are now hesitating into the Roosevelt camp.

Now what would a great party that is fit to rule do under the circumstances? It would seem as if it would call a quiet gathering of influential men representing every point of view to see whether there could not be substantial agreement on a man who would have the qualities and the experience in national and international life plainly needed in any candidate for the profoundly difficult job of conducting the affairs of the United States in this crisis of the world's history—qualities which Governor Landon obviously lacks. There would be young Republicans in

such a conference. Nicholas Murray Butler would be asked to repeat the statement that he made after his recent trans-continental journey—that not a single one of the candidates now being talked about measures up to the need of the hour. If no man obviously fitted to lead a forlorn hope could be found in the Senate, then such a gathering might well search the academic and the business worlds for a man not now connected with politics but of demonstrated ability in dealing with large business affairs. If it were not for his peculiar record, one might think of President Gifford of the American Telephone and Telegraph Company. If there were a Republican of the wide experience of Owen D. Young he would naturally come into the picture. If there were a younger man of the type of Alanson B. Houghton, who was a useful representative in Congress for years and an admirable Ambassador to Berlin immediately after the war, and who is a successful manufacturer on the best of terms with his employees, he would naturally be considered. There would be a serious investigation of the merits of John G. Winant, former Governor of New Hampshire, even though he is now connected with the social-security branch of the Roosevelt Administration. There are several men in the college world whose names immediately suggest themselves, but they would not exhaust the list. It is simply incredible that a party which polled 15,761,841 votes in 1932, which boasts that it contains within its ranks the leading business men, bankers, and great executives of the country, could not find someone worthy of heading the ticket.

Well, I hear cynics say, "What's the use? Roosevelt is going in no matter whom they nominate." True. But I am writing from the Republican point of view on behalf of those Republicans who sincerely believe that their party can be rescued and revamped and made into a constructive social force. There is, however, another reason why independents and Democrats alike should wish to see a strong opposition to the Democratic Party, both in and out of Congress. The safety of our institutions depends in large degree upon such an opposition. It will be little less than a misfortune if Franklin Roosevelt is elected by a greater plurality than he received in 1932 and if there is a less effective minority against the Democrats in the Senate and the House of Representatives. Given such an overwhelming victory, any tendencies in Mr. Roosevelt toward dictatorship will be reinforced if there is no determined, sincere, and able group of men to check his power and forcefully to present to the public the arguments against any policies which he may advocate. The President's acceptance of a modification of his latest tax bill in the face of severe criticism shows the effectiveness of capable analysis and opposition.

# BROUN'S PAGE

**R**UPERT HUGHES has set himself to save the down-trodden film magnates of Hollywood. No blot or stain shall ever come to the escutcheon of Will Hays if Mr. Hughes can help it. And yet it is a strange device which this half-a-minute man wears upon his shield, for he fights for free press, free speech, and Metro-Goldwyn.

Rupert Hughes is the leader of the white-mouse faction in the Screen Writers' Guild. A connoisseur of buttered bread, the author has left the union of his own choosing now that pressure has come from the employing groups. But Mr. Hughes is actuated by the noblest motives. He is one of those who would have his silver and his soul's salvation, too. Ugly words have generally been used about those who desert their fellow-craftsmen in time of strife, but how can they be applied to Rupert Hughes, who would single-handed preserve the American family and more particularly the Warner Brothers?

Rupert Hughes once wrote a penetrating book about George Washington which elevated the eyebrows of the patriotic, but now he tends to conformity, and while the picket line wends its weary way outside the studio he purposes to stick to his desk, setting down "I wonder," "Came the dawn," and "Kiss me, my fool." In other words, Rupert is himself again. Alone in his Alamo he holds the fort against those who would debase the American motion-picture industry with sovietizing influences.

"When the freedom of American writers is gone," says Mr. Hughes from his cubicle on the lot, "American freedom is dead indeed. And since writing is an almost universal form of expression, its regimentation attacks thought, speech, and press and thereby the liberty and security of every citizen. Of late a certain school of writers is not only trying to align the writing craft with the labor unions, but to amalgamate all writers into one grand national union. This will be ruled, of course, by a small committee employing closed-shop principles . . . I believe in organization among all crafts, including the crafts of the employers."

"When the grand amalgamation was broached," Mr. Rupert Hughes continues, "I protested that a tyranny of writers over writers was planned, and this meant a despotism of a few natural-born committee men. Eight or more screen writers sent in their resignations and were immediately accused of bad faith and of 'blatant and callous treachery.' I now felt it time to join the traitors against the unforeseen Soviet, and we secessionists are now forming a new association devoted to the correction of abuses and the betterment of the craft in cooperation with producers as sincerely interested in the prosperity of the picture industry as are we writers. . . . There is a vague thing called Americanism that tries to work for freedom, equality, and democracy with the least possible restriction either in thought, speech, press, or action."

To be sure, "the one grand national union of writers" is a bogey invented by Mr. Hughes himself. And so are the secret negotiations designed to bring it about. I speak from my own knowledge, since I am at least an uncle of the idea which Rupert Hughes distorts. More than a year ago I spoke before a body of school teachers (I think it was the League for Progressive Education) and made the suggestion that authors, dramatists, screen writers, educators, newspapermen, and others whose jobs made them responsible for the creation of public opinion should form a loose confederation and meet in convention once a year. It was my notion that such an association might be helpful in the prevention of war. The screen, the press, and the radio are owned by a comparatively small number of individuals. The writers of America in any given situation have a right to know whether they are acting on their own or whether they are being pushed around by the few who own the media of propaganda.

Mr. Hughes professes to fear "a tyranny of writers over writers." Even if such a thing were possible, would he regard it as a step down from a tyranny of illiterates over authors? Mr. Hughes cannot possibly maintain that he or anybody else in Hollywood has freedom to write as he pleases under the present set-up. The closest sort of regimentation exists, and it is a pressure of men with no interest save that of profit over a group laughingly known in the counting-room as "creative artists." Indeed, Mr. Hughes identifies himself as one sharing wholly the point of view of the management, since he stresses at the expense of all else "the prosperity of the industry."

Rupert Hughes believes in the organization of everybody in the craft including the employers, but he need not lie awake nights wondering whether the poor producers will avail themselves of the necessary protective measures against the savage purposes of their employees. Depend upon it, Rupert, they have their grand union. They have their united front. Your kindly effort to build a writers' "union" to cooperate with the bosses will undoubtedly be welcomed by them, but I fear that it will be regarded by the studio heads as just another evidence of the inveterate passion of some employees to better themselves not by organization but by osculation. Such progress, it is quite true, cannot be obtained by regimentation. Mr. Zukor will be glad to accommodate all pilgrims to Rimmon, but each must take his turn or there will be a bumping of heads.

Equity knew its "Fidoes." The American Newspaper Guild did have its "League of Politeness," and the Screen Writers' Guild should not be surprised to encounter "a vague thing called Americanism" in Rupert Hughes. It is true that Sherlock Holmes did not call it that. I showed him a copy of the communication and after examining the tracks under a microscope the great detective exclaimed, "That man was running for his life."

HEYWOOD BROUN



# BOOKS *and the* ARTS

## TACKS IN AN EDITOR'S CHAIR

BY JOSEPH WOOD KRUTCH

A LITERARY editor, like any other kind of editor, is faced by a certain number of recurrent dilemmas. To none of them is there any thoroughly satisfactory solution, but there are two at least which are important enough and persistent enough to warrant open discussion with the readers of a magazine who take, as many *Nation* readers do, an active personal interest in its policies and points of view.

The first is concerned with the question of what to do with letters of rebuttal and protest. Nearly every review of a controversial book draws one or more, and often a great many. In addition, a considerable proportion of unfavorable reviews of books of any kind are replied to by the author, by one of his friends, or by some outsider who happens to be passionately interested. Such letters are always sent to the author of the review in question, who usually—and at the cost of considerable time—answers them personally, but in most cases the letter writer wants his protest published and in three cases out of four cries “prejudice,” “fraud,” or “suppression” if it isn’t. Yet only a small number of such letters could be printed unless we were willing to devote the major part of the paper to them, and it is not possible to formulate hard and fast rules which will render automatic the decision in any particular case.

We can and do say that errors in fact will be corrected unless they are manifestly too trivial to be of any importance. But if certain facts are obvious and determinable as matters of record, there are, unfortunately, many others which seem facts to a reader but are not demonstrable as such; and more than one correspondence has ended with the reader's declaration, “I merely inform you that your reviewer is a knave as well as a fool, and if you won't publish that obvious fact then you are engaged in the deliberate suppression of the truth.” Most letters, on the other hand, are frankly concerned with matters of opinion, and here, of course, the limitation of space is the determining factor. We publish as many as we can of those which seem to us most important and most likely to interest our readers. But the conventional editorial phrase, “Rejection of your manuscript does not imply a lack of merit,” means rather more in this connection than it often does in any other. Many interesting letters are never published simply because, interesting though they may be, to include them would mean to exclude some others which for one reason or another we consider it more important to print.

Somewhat harder perhaps is the case of the author who feels that he has been unjustly treated in an unfavorable review. There is, I believe, a law in France which provides that the recipient of an unfavorable review may require

the periodical in which it appeared to give him an equal amount of space for rebuttal, but the law is not very often invoked, and if it were, it would make almost impossible the publication of an extended literary section. With us we regard such a reply exactly as we should regard any other contribution and use it only if it seems of sufficient interest or importance to justify the omission of some other letter or article in order that it may be published. After all, most reviews belong in the realm of opinion. They are offered as opinions, and most experienced authors, recognizing the fact, hesitate to reply, sensibly preferring to believe that in the book itself they have had their say.

Even thornier than the problem of protesting letters is that raised by the question of editorial responsibility for or agreement with the opinions expressed by individual reviewers. It is frequently raised and was raised again only a few days ago by a reader who had been infuriated by a certain opinion and who ended by stating roundly: “If the editors of *The Nation* agree with that opinion they are fools; if they do not agree with it they should have thrown the review into the wastebasket.”

So far as this particular protest is concerned, it can be answered categorically. The editors of *The Nation* do not hold every opinion expressed in every book review or other signed article, and they do not consign to the wastebasket the work of every reviewer who happens to say something with which they do not agree. The variety of opinions expressed ought to be sufficient evidence of that fact, but unfortunately the question as a whole cannot be disposed of so easily. If it is obvious that we do not insist that every reviewer shall share all our opinions, it is equally obvious that, since we select our reviewers, we have some sort of responsibility for at least the general tendencies of their thought. It would be possible to conduct a book-review section from which all opinion opposed to the editor's own should be excluded. It would be impossible on the other hand to conduct one for the general color and competence of which he had no responsibility unless he were content merely to open the daily mail and to turn its contents over to the printer.

In the vast majority of cases books are assigned to a definite reviewer of the editors' choice. He is chosen because the editors believe that he is, in general, a man of intelligence and taste who has, besides, some special competence relative to the book in question. But since the editors believe in the utility of discussion from various points of view they often choose reviewers whose general philosophy they know to be different from that of *The Nation* but for whom they have, nevertheless, a solid respect. Occasionally the review resulting from such assign-

ment is rejected because it seems dull or badly written, but seldom, if ever, is it "tossed into the wastebasket" because the point of view is not in accordance with our own. Since its author is a man in whom we have reposed confidence we prefer to assume that his opinion, however different from ours, is at least worth hearing.

It is hardly necessary to add that any reviewer who consistently wrote reviews which seemed to us ill-informed or unintelligent would be dropped from our list, and it is to that extent, but to that extent only, that we assume responsibility for the opinions expressed. Doubtless it is impossible to specify more precisely the exact degree of control of opinion which results from this policy: it is obviously dependent in part upon the extent of disagreement which the editors can reconcile with a belief in any reviewer's intelligence and competence. But such a description of our intentions should serve at least to give some sort of answer to the often raised question of the degree of responsibility which we assume. Our readers are justified in concluding that the authors of reviews in *The Nation* are men whom the editors believe worth hearing on the particular subject in hand. They are not justified in assuming that any specific opinion necessarily even approximates agreement with the editorial policy of the paper.

## BOOKS

### "It Is Not Forbidden to Think"

COLLECTED POEMS. By T. S. Eliot. Harcourt, Brace and Company. \$2.50.

THE grouping of these poems—chronological through 1930, and inclusive except for "Murder in the Cathedral"—seems to point to a mental chronology of evolution and deepening technique. But two tendencies mark them all: the instinct for order and certitude, and "contempt for sham." "I am not sure," Mr. Eliot says in "The Uses of Poetry," "that we can judge and enjoy a man's poetry while leaving wholly out of account all the things for which he cared deeply, and on behalf of which he turned his poetry to account." He detests a conscience, a politics, a rhetoric, which is neither one thing nor the other. For him hell is hell in its awareness of heaven; good is good in its distinctness from evil; precision is precision as triumphing over vagueness. In *The Rock* he says, "Our age is an age of moderate virtue And of moderate vice." Among Peter the Hermit's hearers were "a few good men Many who were evil And most who were neither." Although as a critic, confronted by apparent misapprehension, he manifests what seems at times an almost pugnacious sincerity, by doing his fighting in prose he is perhaps the more free to do his feeling in verse. But in his verse, also, judgment remains awake. His inability to be untormented by "the Demon of Thought" as action, in *Prufrock*, posits an overwhelming question:

Oh, do not ask what is it,  
Let us go and make our visit;

and as writing is satirized in *Lines for Cuscuscaraway and Mirza Murad Ali Beg*:

How unpleasant to meet Mr. Eliot!  
With his features of clerical cut,

\* \* \*

And his conversation, so nicely  
Restricted to What Precisely  
And If and Perhaps and But.

One sees in this collected work conscience—directed toward "things that other people have desired," asking "are these things right or wrong"—and an art which from the beginning has tended toward drama. *The Waste Land* (1922) characterizes a first period. In *Ash Wednesday* and later Mr. Eliot is not warily considering "matters that I with myself too much discuss Too much explain"; he is *in* them; and *Ash Wednesday* is perhaps the poem of the book, as submitting in theme and technique to something greater than itself.

And spirit of the river, spirit of the sea,  
Suffer me not to be separated

And let my cry come unto Thee.

This is a summit; an instance, as well, of increased pliancy in rhythm, the lengthened phrase and gathered force of rhymes suddenly collided being characteristic of the later poems.

Mr. Eliot's aptitude for mythology and theology sometimes pays us the compliment of expecting our reading to be more thorough than it is; but correspondences of allusion provide an unmistakable logic: stillness, intellectual beauty, spiritual exaltation, the white dress, "the glory of the humming bird," childhood, concentration and wholeness of personality—in contrast with noise, darkness, drugs, dreams, drowning, dust on the rosebowl, Dusty the makeshift enchantress, cards, clairvoyants, serpents, evasiveness, aimlessness, fog, intrusiveness, temptation, unlogic, scattered bones, broken pride, rats, drafts under the door, distortion, "the sty of contentment." Horror, which is unbelief, is the opposite of ecstasy; and wholeness, which is the condition of ecstasy, is to be "accepted and accepting." That is to say, we are of a world in which light and darkness, "appearance and reality," "is and seem," are ineludable alternatives.

And there are words of special meaning which recur with the force of a theme: "hidden," referring to poetry as the revelation of a hidden life; "the pattern" continuing the Aristotelian concept of "form" as the soul, the invisible actuality of which the body is the outward manifestation. Fire, the devourer, can be a purifier; water has in it the thought of drowning or of drought ended by inundation; as God's light is for man, the sun is life for the natural world. Concepts and images are toothed together and the poems are so consistently intricate that one rests on another and is involved with what was earlier; the musical theme at times being separated by a stanza, as the argument sometimes is continued from the preceding poem—"O hidden" in *Difficulties of a Statesman* completing the "O hidden" in *Triumphal March*. The period containing *Ash Wednesday*, concerned with "the infirm glory of the positive hour," is succeeded by the affirmative one to which "Murder in the Cathedral" belongs; also *Burnt Norton*, a new poem which is concerned with the thought of control ("The high road and the low are one and the same") embodied in Deity and in human equipoise, its temporal counterpart:

We move above the moving tree  
In light upon the figured leaf  
And hear upon the sodden floor  
Below, the boarhound and the boar  
Pursue their pattern as before  
But reconciled among the stars.

In *Usk*, also, Mr. Eliot expresses the conviction that the *media* of discipline and self-control is the valuable one:



Where the roads dip and where the roads rise  
Seek only there  
Where the gray light meets the green air  
The hermit's chapel, the pilgrim's prayer.

One notices here the compactness, four thoughts in one—the visible, the invisible, the indoors, the outdoors; and that in the later poems, although statement is simpler, the rhythm is more complex.

Mr. Eliot has tried "to write poetry which should be essentially poetry, with nothing poetic about it, poetry standing naked in its bare bones, or . . . so transparent that in reading it we are intent on what the poem *points at* and not on the poetry." He has not dishonored "the deepest terrors and desires," depths of "degradation" and heights of "exaltation," or the fact that it is possible to have "walked in hell" and "been rapt to heaven."

Those who have power to renounce life are those whose lives are valuable to a community; one who attains equilibrium in spite of opposition to himself from within is in a stronger position than if there had been no opposition to overcome; and in art, freedom evolving from a liberated constraint is stronger than if it had not by nature been cramped. Indigenous skepticism, also constraint are part of Mr. Eliot's temperament; but at its apex art is able to conceal the artist while it exhibits his "angel"; like the unanticipatedly limber florescence of fireworks as they expand into trees or bouquets with the abandon of "unbroke horses"; and this effect we have in Cape Ann—denominated a minor poem, perhaps as being a mood or aspect rather than part of a thought-related sequence:

O quick quick quick, quick hear the song-sparrow,  
Swamp-sparrow, fox-sparrow, vesper-sparrow  
At dawn and dusk. Follow the dance  
Of the goldfinch at noon. Leave to chance  
The Blackburnian warbler, the shy one. Hail  
With shrill whistle the note of the quail, the bob-white  
Dodging by bay-bush. Follow the feat  
Of the walker, the water-thrush. Follow the flight  
Of the dancing arrow, the purple martin. Greet  
In silence the bullbat. All are delectable. Sweet sweet sweet  
But resign this land at the end, resign it  
To its true owner, the tough one, the sea-gull.  
The palaver is finished.

MARIANNE MOORE

## The Cult of Emotion

THE STORY OF A NOVEL. By Thomas Wolfe. Charles Scribner's Sons. \$1.50.

THIS is an interesting little memoir of the way in which Mr. Wolfe came to complete his two published novels and a third, still to be published. He tells us of the troubles that went into the making of his books, his difficulties in learning how to write, the intensity of his imaginative life while writing, his discovery that writing is hard work, his wonderment at the source of the artist's material, his relationship with his sagacious editor, his triumphs and despairs, and so on. These are experiences every beginning novelist has had, but Mr. Wolfe, who is impressionable, has had them more grandly and is able to write about them as if they had never happened to anyone before. That is the excuse for his book, and it is a good excuse.

The interest of this essay does not, however, except for professional students of Mr. Wolfe's career, lie in the facts it gives us about the composition of his novels. It lies in the

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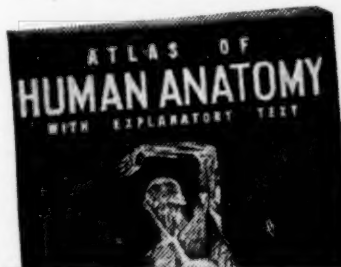
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explicit statement of his view of life and the relation of the artist to it. First, his vision is completely egocentric. "Everything in a work of art is changed and transfigured by the personality of the artist." These words, true in a degree for all artists, are intensely true for Mr. Wolfe. His novels are, despite their length, lyrics. Second, his vision is a sense-vision. "The quality of my memory is characterized . . . by the intensity of its sense impressions." If he were a poet, he would be like Spenser rather than like Whitman, to whom he has been mistakenly compared. Third, these intense sense impressions produce a range of titanic, if cloudy, emotions in him, and these emotions form almost the entire stuff of his books. Referring to his own "almost insane hunger to devour the entire body of human experience," he says, "The only way I could meet it was to meet it squarely, not with reason but with life." How one can meet an insane hunger for experience by giving it more experience to be insane about is difficult to understand; but there is Mr. Wolfe to demonstrate how it can be done. Life is the answer to all problems, including the problems of life.

His story is sincere, passionate, and no doubt utterly truthful; but it will make some of his admirers, myself among them, a little uneasy, for its unconscious motivation seems to be a deep fear and hatred of the reason. The cult of emotion is growing fast these days. I would not like to see it triumph here. Yet the presence of Mr. Saroyan, Mr. Engle, Mr. Reynolds, and the victorious Mr. Wolfe himself indicates that the cult of emotion already constitutes a school.

I may be an old fogey, but I still admire reason and consider the works of Thomas Mann superior to those of Adolf Hitler. And so I am, paradoxically, in favor of censorship. I am in favor of a Definition Test which all aspiring novelists would have to pass before being allowed to write. I would like to have Mr. Wolfe say, for example, just what he means by "America" and "American," two words he uses stirringly but not always clearly. I would like to know what he means when he describes this little book as "a story of the artist as a man who is derived out of the common family of earth and who knows all the anguish, error, and frustration that any man alive can know." If he means exactly what he says, then Mr. Wolfe is no man at all, but a sort of demigod, lent for a brief term to mankind and Scribner's. Along with others I have remarked in print with wearying iteration that Mr. Wolfe has streaks of genius, that his energy and power of caricature are admirable, that he is one of the hopes of our literature today; but one must still insist that he define his terms, look closely, after writing it, at what he has written, curb his natural interest in himself, and give the rational soul a break.

CLIFTON FADIMAN

## The Tragedian Parnell

*THE GREEN LION.* By Francis Hackett. Doubleday, Doran and Company, \$2.50.

FRANCIS HACKETT always writes with warmth and energy; but beneath its surface his prose too often generates its heat from the purple imagery and facile mysticism of the Pre-Raphaelites. The title of his present book has its source in a quotation from Evelyn Underhill that would have delighted Dante Gabriel Rossetti: "The duty of the alchemist, then, the transmuting process, is described as the hunting of the Green Lion through the forest of the sensual world. He, like the Hound of Heaven, is on a love chase down the nights and down the days." As his biographies of Henry VIII

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May 27, 1936

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and Francis I testify, Mr. Hackett has a lively appreciation of the so-called human interest that may be found in historical characters, so much so that his biographies closely approximate historical fiction. He endows all his historical periods with colors from a Pre-Raphaelite palette, and this time he has chosen the last quarter of the nineteenth century in Kilkenny, Ireland, that moment which produced Yeats's "tragic generation" of young men who lived within the shadow of Ireland's disaster and Parnell's defeat.

It is perhaps through force of habit that Mr. Hackett constructs his present novel in the loose, episodic form which usually characterizes the writing of his biographies; perhaps the boy hero, Jerry, has a distant origin in Mr. Hackett's memories of childhood in Kilkenny, and if so the book may be read as a document of extremely remote autobiography. Jerry was an extraordinary boy, and at the age of eight was an ardent Parnellite; his Uncle Humphrey, a journalist, edited a Parnell newspaper; both boy and uncle saw Parnell plain, and to them the man was more than a great name: he was their cool, quiet, gentle friend as well as leader.

One should not perhaps lose patience with Mr. Hackett's precocious boy hero (though perversely I am reminded of G. A. Henty's boys under Clive in India, under Wolfe in Canada, under Bonnie Prince Charlie fighting for the lost cause in Scotland); his book does not pretend to be a work of naturalistic fiction. Its weaknesses center I believe in Mr. Hackett's interpretation of Parnell. The Parnell episodes allow him natural opportunities for a historical analysis of time and place within the novel which as such deserve more than casual attention. He says of Parnell:

He was not extravagant or impossible, but he lifted his cause into a force that had formidable claims on world opinion and held England to its bar. This he accomplished by the aid of everyone who loved Ireland, and with the help of lieutenants who cared as much as he did but who did not possess his untrammelled spirit, his governed audacity, his comprehension of the English ruling class, his cool hand. He had an unbroken pride. And to win against the subtle empire that rejected a claim to self-government he only needed loyalty through the dark hour of his career.

"Everyone who loved Ireland," "untrammelled spirit," "governed audacity," and "unbroken pride" are fine mouth-filling phrases for oratorical exercise but they do nothing toward explaining the forces that Parnell had to meet, nor do they lead to an understanding of Parnell's motives and character. Some of these phrases might well be applied to any public hero from Julius Caesar to Charles A. Lindbergh, and therefore the hero remains mysterious, a statue cut in marble or cast in bronze, another tribute to the great-man concept of history, to be admired as a symbol of national pride in city parks and museums. It is this very concept, I would say, that makes Mr. Hackett's Parnell as unconvincing as Parson Weems's George Washington. I do not mean to question the validity of his information; it is his use of it which seems to distort the causes of Parnell's downfall. Mere distrust of Gladstone's good intentions toward Home Rule, and recognition of the evil in Ireland's priest-ridden churches are not enough.

These causes are, I think, too near the surface of events. The real cause may be found in the quality of Parnell's leadership, for Parnell, despite his loyalty to the Irish peasant, seemed to be obsessed by the same concept of history that deflects Mr. Hackett's interpretation of the popular hero. If his lieutenants lacked the power to sustain his policy, it is evident that Parnell also lacked the ability to translate the philosophy of the Land League movement into terms that extended beyond his manipulation of a political machine; the strength of his policy was

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vested in his personality. But Parnell was to disclose his great-  
man complex in the O'Shea affair; in that episode he was to  
offend, if not entirely betray, the sexual morality of the Irish  
peasant at a crucial moment; he was to count the world well  
lost for love of a handsome, vain, ambitious woman who re-  
spected him but had no sense of his public responsibility, as  
any reader of her memoirs would soon discover.

It is clear, I think, that any political leader who lacks a  
world philosophy is already doomed to betray the very cause  
which gave him excuse for being; his real strength, however  
aided by personal character and the ability to dramatize the  
moment, lies in a philosophy of action for the common good.  
Lacking that philosophy he is killed, trapped, or overthrown  
by enemies of equal strength, who like him secure the transient  
advantage, and a few years later follow the same course to  
destruction which is the fate of the dictator, whether in ancient  
Rome or present Germany.

To fail as Parnell failed is to create an analogy to classic  
tragedy, an analogy of which both Yeats and Joyce are not  
unaware. Yet Mr. Hackett, in his pursuit of the "Green Lion"  
remains untouched, and the subsequent adventures of his hero  
to the age of seventeen, concluding in an escape to America,  
dwindle into insignificance.

HORACE GREGORY

## The Coming War in the East

**JAPAN MUST FIGHT BRITAIN.** By Lieutenant-Comman-  
der Tota Ishimaru. The Telegraph Press. \$3.

**WHEN JAPAN GOES TO WAR.** By O. Tanin and E. Yohan.  
The Vanguard Press. \$3.

**WAR IN THE PACIFIC.** By Sutherland Denlinger and Lieut-  
enant-Commander Charles B. Gary. Robert M. McBride.  
\$3.

**TOGO AND THE RISE OF JAPANESE SEA POWER.** By  
Edwin A. Falk. Longmans, Green and Company. \$4.

**WAR AND DIPLOMACY IN THE JAPANESE EMPIRE.**  
by Tatsuji Takeuchi. Doubleday, Doran and Company.  
\$4.50.

**JAPAN'S FOREIGN RELATIONS, 1542-1936: A SHORT  
HISTORY.** By Roy Hidemichi Akagi. The Hokuseido  
Press. \$4.

THE simultaneous appearance of three books dealing  
with Japan's approaching struggle for mastery of the  
East can scarcely be set down as a mere coincidence. It is inter-  
esting to note, however, that the authors are unable to agree  
on Japan's probable opponent in this conflict. Commander  
Ishimaru has reasons that are at least plausible for choosing  
England rather than America or the Soviet Union for this role.  
War between the two great island empires is inevitable, he  
maintains, unless England, rich in colonies, forgoes all at-  
tempts to maintain the status quo or Japan abandons its policy  
of expansion. The latter he dismisses as unthinkable and  
holds the former to be desirable but unlikely. In contrast to  
the strong bonds of trade between the United States and Japan,  
he points out that there is deep-seated economic rivalry be-  
tween England and Japan. Both are of necessity trading coun-  
tries living by their exports of manufactured articles, and both  
are dependent on their markets in the East. Any one of a num-  
ber of issues—trade restrictions, naval limitation, immigration  
policies in the colonies, or the Open Door in China—might  
provide the occasion for war.

Commander Ishimaru does not think much of Britain's  
chances should such a war break out. Unless England can find



an ally in Soviet Russia or the United States, he feels that Japan has nothing to lose and everything to gain by the conflict. Britain, he believes, is decadent. The passing of the era of free trade has deprived England of whatever natural advantages it had as a manufacturing nation. The necessity for defending its wide-flung empire would offset whatever naval supremacy it appears to possess. India, Egypt, and the Irish Free State are only waiting for a chance to escape from London's yoke, and it is even doubtful whether all the self-governing dominions would give full support to the mother-country. Only one major difficulty is seen by the author: how to make an unexpected attack on England without violating the Kellogg peace pact and running the risk of war with the United States. Admittedly the excuses offered in connection with the Manchurian affair would be even less convincing in the event of an attack on a great power. This factor, however, is subordinated to the necessity of attacking before the British fleet could be assembled at Singapore or Hongkong. The book ends with an impassioned plea to Britain to prevent war by making way for the new empire in the Orient.

The second is also a war book, but of a very different type. Tanin and Yohan, authors of an authoritative book on Japanese fascism, have turned their incomparable talents for research to making a careful evaluation of Japan's economic and social resources so as to form a judgment of its capacity to wage war against the Soviet Union. While recognizing that any estimate of this type can be little more than a rough guess, the authors have piled up an amazing amount of quantitative data. First they compile a complete list of the materials which they believe would be necessary in the first six months of the war, and in subsequent semi-annual periods. Having done this, they proceed to explore all the possibilities of obtaining these supplies—the abundance or lack of raw materials, the country's agricultural and industrial resources, the prospects for imports and exports, and the chance of obtaining foreign loans. Special attention is directed to the class antagonisms within Japanese society and to the possibility of a Communist uprising. The authors do not make the mistake of underestimating the strength of the Japanese military machine. They admit that in a short war Japan would exhibit considerable strength. But their analysis indicates that very serious weaknesses would appear in an extended conflict. Japan's heavy industries are especially weak. Not only would it be necessary for it to import a considerable proportion of its iron and steel, machinery, and special war equipment, but it would encounter grave problems when it came to organizing the national economy on a war basis because of the preponderance of small industries and lack of modern technique. Raw materials of all types would also have to be purchased from abroad, as would a considerable amount of food. With very small gold reserves, and with an inevitable falling off in export trade, Japan would find itself in an extremely critical situation by the opening of the second year of the war. Granting that Japanese discipline would suffice in the early months of the conflict, the authors feel that the underlying class antagonisms would be of growing importance as food supplies were curtailed, and the population faced the shock of bad news from the front.

"War in the Pacific" deals with a possible Japanese-American encounter, and is in many ways the most rewarding of the three books. It is analytical and descriptive rather than prophetic. While it does not attempt an exhaustive evaluation of Japanese resources such as Tanin and Yohan give us, it contains a brief chapter on this phase of the subject which agrees substantially with the Russian study. The book is primarily concerned, however, with technical questions of equipment and

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- (2) Industrial expansion is needed to absorb unemployed labor, which will increase mass buying-power and cut down relief taxation.

### Blocked by Prevailing Set-up

But industrial expansion is blockaded by the prevailing economic set-up, which forces productive capital to operate between the upper millstone of heavy taxation and the lower millstone of recurrently inflating ground rent. The mere, initial cost of ground alone defeats not only government projects of slum clearance but also private initiative in the erection of badly needed new housing throughout the country—thus keeping a great deal of labor out of work, depressing mass-power to buy goods, and narrowing the fiscal base. The housing illustration is but one of hundreds to the same effect.

### Like It or Not

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### Productive Capital the Goat

Productive Capital, then, is overloaded with taxation and compelled to pay billions for the rental or purchase of ground; while at the same time further tax burdens are proposed by Townsends, Bonusites, and Share-the-wealthites. Moreover, to cap the climax, the Marxites mistakenly identify productive capital as the central villain of the economic tragedy, and advocate its total confiscation. More and more people are studying the logic of the American economic situation in—

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strategy, and contains a vivid description of crucial engage-  
ments in the coming struggle.

For one who wishes to understand the source of Japan's  
strength, despite its apparent economic weakness, considerable  
light is furnished by Mr. Falk's definitive biography of Ad-  
miral Togo. The rise of Togo coincides almost completely with  
the growth of the Japanese Empire into one of the world's  
great powers. As an individual Togo appears to have been  
lacking in all the external attributes of greatness, except one:  
he was completely immersed in his job. The navy was his life,  
and as a master of naval strategy he is ranked second only to  
Nelson. In addition, he was typically Japanese in his single-  
minded loyalty to the Emperor and his acquiescence in the  
expansionist aims of his country.

A partial explanation, at least, for the almost universal ac-  
ceptance of the postulates of militarism in Japan may be ob-  
tained by reading between the lines of Dr. Takeuchi's remark-  
able book. Dr. Takeuchi gives us what is undoubtedly the most  
authoritative description available in English of the workings  
of Japan's invisible government, and the means by which the  
army and navy have maintained their influence over foreign  
policy. He follows this by a "case history" of each of the crises  
in foreign relations in the last half-century, showing how the  
various groups in this invisible government affected the final  
outcome. While the value of the book for the ordinary reader  
is marred by the author's failure to interpret the amazing col-  
lection of facts which he has assembled, it is indispensable to  
anyone seeking a clear understanding of Japanese foreign  
policy.

In contrast, Dr. Akagi's book suffers from over-interpretation.  
As a semi-objective defense of Japanese foreign policy  
it has its value, but it is scarcely a book that would interest the  
average reader.

MAXWELL S. STEWART

**RADIO**

**U**NDoubtedly the large advertisers try to give the  
public what it wants in the matter of radio entertain-  
ment, and since many accounts remain on the air year after  
year it must be that the commercial results are satisfactory.  
And yet unquestionably the development of the medium lags.  
Radio needs critics. Fan letters do not suffice, since there are  
those who write and rather more who merely yawn and turn  
the dials. Newspapers do not evaluate radio programs in the  
manner in which they review books and plays and, to a lesser  
extent, motion pictures. They do not want to help radio or  
hurt the feelings of advertisers. But somebody really ought to  
tell the sponsors of Eugene and Willie Howard how perfectly  
dreadful their new program is.

The lag between a good radio show and a poor one is even  
greater than in the case of plays or pictures. The program mak-  
ers go on the theory that people who resemble each other are  
equal to the same thing. It isn't true at all. One need do no  
more than contrast Amos and Andy with their many imitators.  
Amos and Andy, of course, are dealing with a wholly synthetic  
conception of Negro life, but they really stand as the founders  
of a possible folk school of radio skits. They have endured  
because they deal in character, such as it is, and incident, and  
because they never employ gags. To be sure, they mispro-  
nounce words, but so does Herbert Hoover and he isn't nearly  
as funny.



The sharpest criticism of radio advertising and radio entertainment (the two are entwined) is offered by a pair of radio performers who do not seem to have helped themselves commercially by the keenness of their jabs. Indeed, Colonel Stoopnagle once said, "Budd and I seem to get along all right by going from one dissatisfied sponsor to another." Although they stand only moderately well in popularity polls, Stoopnagle and Budd seem to me easily the most amusing of the radio comics. They have developed a distinct radio technique while many of the others are still using the devices by which one gets laughs from a theatrical audience.

If there were a radio Will Hays, heaven forbid, he would do well to abolish the practice of studio audiences. Until this is done, or until television comes, the radio performer will never fully adapt himself to his medium. The invisible audience is not amused by the fact that Ed Wynn wears a fire helmet. Radio will begin to come into its own when the stooges are kept out of the studio.

It might be well to point out that Amos and Andy, who have outlasted them all, never permit anybody to watch them while they are working. Radio's appeal should be to the ear alone. It is a mistake to try and swap senses while crossing a stream of consciousness.

But perhaps my criticism should be discounted. I'm the person who laughed his, or her, head off when Stoopnagle and Budd mentioned their friend Phoebe B. Beebe who owns a new canoe canal.

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## FILMS

### Documentary

"WE ARE FROM KRONSTADT," the new Russian film at the Cameo, was undertaken not so much to tell a story as to present for the information and edification of its audience a certain body of material hitherto passed over by the camera. "In 1933 I was given an assignment to write a scenario about the Baltic fleet," writes Vishnevsky for the program. "I wrote this scenario, refuting many cinema traditions, blazing new trails. I came out against parlor realism, against a conventionally symbolical cinema, against cinema hyperboles. . . . The country must see the face of the Red navy—that was the assignment, and everybody should understand that such an assignment must be covered fully, receiving the highest marks." With Dzigan as director the work went on, first in the Baltic and then on the shores of the Black Sea, where a Northern atmosphere was created by planting pine forests and building a landscape equivalent to that against which the original action had taken place. The original action was the defense of Petrograd in 1919 by land and sea, and since action of some sort is the subject matter of the film it may be said of course to tell a story. But the story is not the thing.

The average American movie-goer would scarcely need to be told this. He would find the film bewilderingly slow and literal. The soldiers and marines would look to him now and then as if they had paused to have their pictures taken. The humor would seem rudimentary—developed with half a heart and then dropped all at once. And in general he would miss the sense, with which he is so familiar, of history concentrating itself into a series of self-conscious and significant gestures.

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The episodes of the film would remain separate in his imagination, and within each episode the actors would appear to be only rather listlessly aware of what their doings meant. This would be in part because the film is European, and hence out of touch with our tradition of "pace." In addition, however, it would suggest that Vishnevsky and Dzigan had succeeded in their attempt to avoid symbol and hyperbole. My own notion is that they have succeeded too well. The documentary film has its great interest; and I am not unaware that there is a certain pleasure to be derived in the present case from an absence anywhere of signs that Artem Balashov and his friends know they are making history. The trouble is that they seem to know they are making a film. The art of documentation has paraded itself here no less conspicuously than the arts of symbol and hyperbole parade themselves in Hollywood films.

The single fine exception is the episode in which several Red sailors are executed by being pushed over a cliff into the sea; and curiously enough this scene is saturated with conscious poetry. If it is the scene which most members of the audience will remember longest, as I am sure it is, the reason must have something to do with its having been imagined dramatically. The group to be executed has its arbitrary symmetry: on the one wing a commissar with distinguished face and white hair, on the other wing a little boy who has volunteered from the ship, and in between them half a dozen indifferent marines. It is no accidental grouping of human figures; nor is it by chance, I am convinced, that gulls fly freely and beautifully over their heads as one by one they take their last look at the sky. I am positive that Dzigan waited for those gulls, and I insist that they are symbols. It is a powerful scene, as the central scene of any narrative should be, and indeed it is one of the best scenes I can remember from any movie. My point merely is that the average American is moved by a proper instinct when he asks for more of the same, and when he calls most of the picture dull.

The films now being privately shown in this country by Joris Ivens, a young Dutch director, are announced both as "documentary" and as "social." Mr. Ivens, introducing them the other night at the National Board of Review, claimed for them that they did not go sentimentally in for plot. They were camera studies, he said, of the contemporary world—studies made in certain cases from a definite social point of view, but above all studies rather than stories. "Borinage" and "New Earth," the first having to do with a coal strike in Belgium and the second with the draining of the Zuyder Zee in Holland, were especially interesting; but I could not see that Mr. Ivens had accomplished much by abandoning narrative. The great steam shovels dropping clay and stones to keep out the North Sea seemed finally to move with an almost human anxiety. Yet that was it, they were *almost* human. The art of narrative is absolutely human, and I cannot think that the art of gathering and photographing the accidents of existence will ever surpass it in interest. Meanwhile, needless to say, the documentary film will continue like the textbook and the newspaper to have its uses.

"It's Love Again" (Roxy) is a British imitation of the films in which Ginger Rogers and Fred Astaire have done their irresistible dancing. The feminine part of the bill is more than filled by Jessie Matthews, who is both merry and toothsome, but Robert Young certainly does not correspond to Fred Astaire. A funny colonel, Robert Hale, helps however to make up for the lack; and in general it may be predicted that "It's Love Again" will last charmingly through the summer months.

MARK VAN DOREN

### Joseph Wood Krutch says:

**CALL IT A DAY.** *Morosco Theater.* Gay and delightful comedy about what almost happened to an English family on the first dangerous day of spring.

**IDIOT'S DELIGHT.** *Shubert Theater.* Robert Sherwood manages somehow to make a smashing theatrical success out of an anti-war play. With the Lunts and many other entertaining trimmings.

**DEAD END.** *Belasco Theater.* A play about gangsters in the making on an East River waterfront. More a good show than a great drama, but a very good show indeed.

**SAINT JOAN.** *Martin Beck Theater.* Brilliant interpretation by Katharine Cornell of what may well be Shaw's most enduring play.

**END OF SUMMER.** *Guild Theater.* The wittiest of American playwrights sets a group of interesting people to talking about the world as we find it. Ina Claire and Osgood Perkins help make a very happy evening.

**GILBERT AND SULLIVAN REPERTORY.** *Majestic Theater.* The same company which usually appears about this time of year in pleasant revivals. A weekly change of program.

**PRIDE AND PREJUDICE.** *Plymouth Theater.* Amazingly successful adaptation, brilliantly staged and acted. A thoroughly delightful evening in the theater.

**VICTORIA REGINA.** *Broadhurst Theater.* Delightful series of scenes from Laurence Housman's drama stunningly acted by Helen Hayes and others. Fairer to the matron queen than Strachey but funny nevertheless and charming besides.

### Mark Van Doren says:

**MR. DEEDS GOES TO TOWN.** *Columbia.* Directed by Frank Capra, and even better than "It Happened One Night." Gary Cooper as the rustic and quixotic Mr. Deeds is not only charming but meaningful, and the whole film has human importance.

**PEG OF OLD DRURY.** *British and Dominion (Paramount).* An eighteenth-century costume piece with Sir Cedric Hardwicke as David Garrick and Anna Neagle as Peg Woffington. Delightfully unhistorical.

**A NIGHT AT THE OPERA.** *Metro-Goldwyn-Mayer.* The Marx Brothers in their best picture to date. Hilarious and brilliant.

**MODERN TIMES.** *Charles Chaplin.* Charlie Chaplin returns to the screen disguised as his old self and fulfils every expectation. Should be seen by everyone—and heard, for he has sound effects.

**THE GHOST GOES WEST.** *Gaumont British.* René Clair's first film in English, with scenes in Scotland and the United States. Clever, satirical, and fanciful, but without the master touch.

**THE PRISONER OF SHARK ISLAND.** *Fox.* Tells the story of Dr. Mudd, convicted in 1865 of having helped Booth to escape. Somber and powerful; does not spare the spectator.

**DUBROVSKY.** *Amkino.* As romantic as Pushkin, on whose unfinished novel it is based. Not wholly successful, but interesting as a variation on the orthodox Russian theme.



# The Intelligent Traveler

BY JOHN ROTHSCHILD

## OUTSTANDING TOURS

EVERY year there are a few trips and cultural undertakings abroad which merit the thoughtful investigation of travelers. A selection of them follows. Addresses unless otherwise stated are New York City.

A *European Art Tour* under the direction of Ralph Fanning, Fine Arts Department, Ohio State University, will visit England, Belgium, France, Germany, Switzerland, Austria, Hungary, Czechoslovakia, Holland. The eight weeks' trip costs \$795, third class on the ocean, second-class rail. Address *Bureau of University Travel*, Newton, Massachusetts.

The *International School of Art* conducts summer courses in the arts in Poland, Rumania, Austria, Czechoslovakia, and Hungary. Distinguished artists of each country give instruction, and wherever there is an interesting folk art, such as the glass painting of Czechoslovakia or the ceramics and weaving of Hungary, it is featured. There are many excursions into the peasant countryside and unplanned contacts with native life. Rates vary for each country, the lowest quoted being \$350 for the seven weeks' trip of the Czechoslovakia group, third class on the ocean. Address *International School of Art*, 4 East Twenty-eighth Street.

The School of Speech, Northwestern University, offers a *Theater Study Tour* in England, Belgium, Germany, Switzerland, and France. It will be conducted by Garrett H. Leverton, professor of dramatic production at Northwestern; credit for six semester hours is given. The rate, including tuition, is \$624 for eight weeks, third class on the ocean. Address *Drama League Travel Bureau*, Essex House.

For the ninth year the Drama League of America sponsors an *English Study Tour*, this year under the leadership of Dean Pearle Aiken-Smith, professor of speech at the University of Southern California. Six weeks at the summer session of the Central School of Speech and Drama in London, and attendance at the Malvern and Shakespeare festivals are the features of the tour. The eight weeks' trip costs \$597, tourist class. Address the *Drama League Travel Bureau*.

The People's College, Oetz-in-Tyrol,

Austria, is the focus of a number of tours of social inquiry, which travel through Europe and settle down for a week or ten days of lecture-discussions and rest in the middle of the journey. This year's tours include:

*Adult Education and Social Progress*, under the leadership of Dr. Hubert Phillips of Fresno State College, visiting France, Switzerland, Austria, Czechoslovakia, Germany, the Scandinavian countries, and England. The eight weeks' trip costs \$458, third class.

*Social and Cultural Developments Abroad*, under the leadership of Betty Youngstrand, of the Midwest branch of the League of Nations Association. The group visits England, the Scandinavian countries, Germany, Czechoslovakia, Rumania, Austria, and France. The rate is \$458, third class, for eight weeks.

A similar plan will be followed for a group under the leadership of Hertha Zwerger, which will visit England, Scotland, Holland, Luxemburg, Austria, Switzerland, Spain, and France. The eight weeks' trip costs \$573, tourist class. Address *Pocono Study Tours*, 545 Fifth Avenue.

A *Trip to Cooperative Europe* under the auspices of the Cooperative League of the United States will be conducted by Meyer Parodneck, president of the Sunnyside Consumers' Cooperative. It will visit Scotland, England, the Scandinavian countries, and the U. S. S. R. The seven weeks' trip costs \$465, tourist class on the ocean, third class in the Soviet Union, second-class rail in Europe. Address *Pocono Study Tours*.

*Public Housing in Europe and the Soviet Union*, under the leadership of Helen Alfred, director of the National Public Housing Conference, includes France, Holland, Germany, the Soviet Union, the Scandinavian countries, and England. Seven weeks, tourist class on the ocean, second-class rail in Europe, third class in the U. S. S. R., \$661. Address *The Open Road*, 8 West Fortieth Street.

A tour featuring *Modern Architecture* will be conducted by Kenneth J. Conant, professor of architecture at Harvard University, and Marian Hayes of the Department of Art at Mount Holyoke College. The itinerary includes England, Denmark, Sweden, Russia, Poland, Ger-

many, Holland, Belgium, and France. The seven weeks' trip costs \$550, third class on the ocean, third-class rail in Europe, tourist class in the U. S. S. R. Address the *Bureau of University Travel*.

The *International Institute of Teachers College*, Columbia University, offers a series of field courses in foreign education, carrying credit in the college. They are as follows:

*Residence Study Group in Berlin*, Thomas Alexander, John W. Taylor, and Nellie S. Buckey instructing. *Foreign Study Course in the Psychology of Social Reconstruction*, Goodwin Watson instructing. *Field Course in the Teaching of Literature in England*, Professor Ida A. Jewett conducting. *Field Course in Social Work in England*, under the direction of Elsa Butler Grove. *Physical Education Field Course in Sweden*, Denmark, and Germany, under the direction of Professor J. F. Williams and Dr. Norma Schwendener. *Field Course in Nursery School, Kindergarten, and Early Elementary Education in Holland*, Belgium, France, and England, conducted by Agnes Burke. *Fine Arts Field Course in Europe*, Elise E. Ruffini, instructor. *Fine Arts Field Course in Mexico*, under Professor Charles J. Martin.

*Social Inquiry and International Friendship* are the pivotal interests of a group conducted by Carolyn Dudley. The countries visited in a leisurely itinerary include England, the Scandinavian countries, Germany, and France. The two months' trip costs \$478, third class. Address *The Open Road*.

A tour of Europe's northern countries will be led by Adolph Hodge, a teacher in the New York schools. The trip is for Negroes and is the eighth European party conducted by Mr. Hodge. The itinerary includes the Soviet Union, Norway, Sweden, England, France, Germany, Holland, Belgium, Denmark, Finland, and Lapland. The eight weeks' trip costs \$642, third class on the ocean, second-class rail in Russia, Belgium, and France, third class elsewhere. Address *Adolph Hodge*, 1949 Seventy-fourth Street, Brooklyn, New York.

Compared to the other countries in which tours are so well organized, Spain is *terra incognita*. Recent events there have heightened the intelligent traveler's

interest in the country; a tour under expert leadership presents fascinating possibilities. R. Selden Rose, professor of Spanish at Yale University, and Mrs. Rose will conduct a group through Spain and France, traveling by private motor. The entire trip takes a little over six weeks and costs \$840, tourist class on the ocean. Address *Europe on Wheels*, 366 Madison Avenue.

*In the Wake of History* is the name of a tour to be led by Will Durant. The tour follows the path of man's progress in Egypt, Palestine, Syria, Lebanon, Constantinople, Greece, the Isles of the Aegean, and Italy. The nine weeks' trip costs \$890, third class on the ocean, and second class-intermediate for Mediterranean services. Members may leave the tour at Athens on July 25, the price of this shorter tour, including return passage, being \$590, same services as above. Address William M. Barber, Babson Park, Massachusetts.

*Motoring. Europe on Wheels* has developed to a high point the pleasures of European motor travel. A typical trip is titled "Unknown France," under the leadership of Alphons Vorenkamp and Cyrus Stimson, both of the Art Department of Smith College. The trip lasts seven weeks, all of the time abroad being spent in France; the cost is \$636, third class on the ocean. The organization arranges for brief motor trips which may be a part of any European holiday; one may rent a car and choose one's own itinerary; services extend through England and the Continent. Address *Europe on Wheels*.

*Mexico.* The committee on Cultural Relations with Latin America will hold its annual seminar in Mexico City and

Cuernavaca from July 9 to July 29. This year the outstanding events are the section on Inter-American Relations, which will have representatives from Mexico, Cuba, Puerto Rico, and the United States, and the section on Mexican painting, headed by Daniel Cotton Rich of the Art Institute of Chicago, to which outstanding Mexican painters will contribute. The rate for the seminar, without extensions, is \$398 by cabin steamer from New York; \$355 by rail from Chicago, Pullman berth included. These prices include meals during the one week spent in Cuernavaca but do not include meals in Mexico City. Hotels are included. Seminar members may spend a week in Yucatan with Dr. Herbert J. Spinden, archaeologist, before the program begins, the extra cost being \$100. They may spend one or two weeks following the program in Oaxaca and Michoacan, the cost being \$50 a week. Address Committee on Cultural Relations with Latin America, 287 Fourth Avenue.

Dr. C. W. Weiant, who has lived in Mexico and pursued scientific investigations there, will conduct a small party over a far-flung route this summer. Most of the travel will be by automobile. The six weeks' trip costs \$425, cabin-class steamer. Address Dr. C. W. Weiant, 55 West Forty-second Street.

J. G. Lippincott, an instructor in art and architecture at Pratt Institute, will take a group to Mexico with a week's stay in Yucatan en route. Some horseback and canoe trips are included in the plans although most travel is by motor. The seven weeks' trip costs \$596. Address *Europe on Wheels*.

Enrique C. Aguirre and his wife conduct a service for the independent trav-

eler which offers many of the advantages of organized travel without its limitations. The Aguirres arrange accommodations in homes for those who would like to get away from hotel life, arrange interviews with personages, and smooth the road for travelers whose time is limited. Their services may be engaged through a travel agent on an all-expense plan, or one may write them direct for help in planning a trip. Address *Aguirres Guest Tours*, Av. Madero 25, Mexico City.

*The Orient.* The *Eighth Cultural Expedition to the Orient*, under the leadership of Upton Close, will sail along the coast of Pacific Asia, visit the Philippine Islands, Hawaii, and Japan, and make a long inland excursion into China and Korea. Shipboard lectures and round-table discussions are designed to give the visitor the fundamentals of Asiatic history, culture, and politics. The ten weeks' trip (from Vancouver or Victoria, Canada) costs \$995, tourist class. Address William M. Barber.

A tour of Japan and China, with emphasis on Japan, is planned under the leadership of Frank Alanson Lombard of the Bureau of University Travel. The party will travel on Japanese steamers. The ten weeks' trip from Seattle costs \$835, tourist class on the ocean. Address *Bureau of University Travel*.

A *Round-the-World Tour* under the direction of G. Sidney Phelps, who has lived in the Far East, places emphasis on the Orient. It makes inland excursions in Japan, China, Siam, India, Palestine, and Egypt, with a brief European stop-over. Of several rates quoted the lowest is \$2,570. The dates are October 1 from San Francisco to February 23, New York. Address *Bureau of University Travel*.

## Letters to the Editors

### OUR SOCIAL INSECURITY

Dear Sirs: I have just been reading the current issue of *The Nation* and cannot resist commenting on the so-called security act. I sat in a meeting the other day and listened to the provisions for the act in my state—with burning indignation. In the first place, where in the United States can \$30 a month purchase food, room, clothes, medicine—to say nothing of recreation—for a person? Please let me know. I think it is the greatest insult ever offered to any old person, to call that small amount "security." Surely \$50 a

month for one, \$75 for husband and wife, can be given easily, and then we can talk about security, but not until then. The thing that upset me most, in the proposed security bill for one state, was the investigating. At least three investigations were to be made before the vast sum of \$15 a month would be paid by the state. One such investigation was to be made upon the complaint of any individual that the recipient did not need the money. I was on the board of a Family Welfare Society for seventeen years before I came to this state and I well know what neighbors can do in quarrels. I can

visualize the plight of the defenseless poor, being investigated and reinvestigated for that small pittance.

In my opinion the old-age pension should be run like the money-order department of our Post Office. State funds should be paid to the government and government funds should supplement state funds in order that old people should be paid \$50 for one and \$75 for a couple. Every person reaching sixty-five years should go before a notary, get his old-age certificate, and then and there be free from espionage of federal, state, and county to spend the money as he pleases.



Also, any state should honor at once the certificate of any other state on the applicant's age.

So let's work for an adequate pension for all people sixty-five years old, and let's do away with the bugbear of investigations. I was giving free service on an unemployment job once, and found families had been investigated as many as seven times by incompetent persons. We can spare old people this. If our own government offered adequate Social Security, Congress would not need to try to besmirch a plan as fantastic as Dr. Townsend's. This is from the pen of

AN INSECURE OLD WOMAN  
Tulsa, Okla., May 8

### "MODERN PARIAS"

Dear Sirs: I read in your edition of April 8 a letter under the above heading by Hugo Mock; unfortunately I missed seeing Mr. Villard's article to which he refers, though I can gather its trend from Mr. Mock's remarks. May I, an English reader of your journal, say a few words on the cruel anachronism known as anti-Semitism? I am not going to lay special stress on the duty of every civilized man whether Gentile or Jew to fight this atavistic savagery on grounds of altruism and common decency, for that appears to me to be axiomatic; my present plea, or rather my present purpose, is to give a warning that unless we fight to protect the Jews now we'll fight in vain later to save civilization itself. Anti-Semitism is a malignant cancer that tends to eat out the heart of our Western civilization, a civilization which owes so much of its greatness and beauty to Jewish conceptions of God as well as to Christianity. The Jews are bearing the brunt of this brutal assault now, but if we stand by indifferent to their miseries and humiliations it will be our turn next.

I am a Lancastrian and my name is well known in my native town, Liverpool; I have no Jewish connections.

CLIFFORD MUSPRATT

Lausanne, Switzerland, April 24

### NEGRO LIBRARIANS AND SOUTHERN HOSPITALITY

Dear Sirs: The American Library Association meets this year in Richmond, Virginia. Two years ago it met in New Orleans. These towns are full of romantic and historic charm. Librarians flock from all over the country to discuss problems of their profession and enjoy the charming hospitality that the South so well provides. But among the librarians are some who are again subjected to the hu-

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21	1.53	1.40	44	3.04	2.78
22	1.57	1.44	45	3.16	2.89
23	1.60	1.47	46	3.29	3.01
24	1.64	1.50	47	3.42	3.13
25	1.68	1.54	48	3.57	3.27
26	1.72	1.58	49	3.73	3.41
27	1.77	1.62	50	3.90	3.57
28	1.82	1.67	51	4.08	3.73
29	1.86	1.70	52	4.28	3.92
30	1.91	1.75	53	4.49	4.11
31	1.97	1.80	54	4.73	4.33
32	2.03	1.86	55	4.98	4.55
33	2.09	1.91	56	5.24	4.79
34	2.15	1.97	57	5.53	5.06
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miliation that is also conspicuous in the South. The colored members of the profession are not able to join the dining and social sessions and are even shunted into a special section during the business meetings.

For the A.L.A. to subject its members to such indignity is truckling to Southern prejudice to an extent that seems unbelievable when one considers the type of person who is attracted to library work. Protests are already being sent in by staff associations of libraries. Another year perhaps the A.L.A. will not meet in the South to demean itself in the tradition of the provincial and reactionary states below the Mason and Dixon Line.

Though I have never joined the A.L.A. I am a librarian of many years' experience in both the Newark and New York libraries, and a descendant on my mother's side of the Stringfellow and Adams families of Virginia. My grandfather, Benjamin Franklin Stringfellow, was educated at the University of Virginia and in his time highly respected as Attorney General of Missouri. My great uncles were

Episcopal ministers, and several fought in the Civil War. On these grounds, I think I am justified in criticizing my ancestors' state.

DOROTHY MANLEY DUFF  
New York, May 8

## CONTRIBUTORS

M. W. FODOR is *The Nation's* Central European correspondent. His article, written a few days before Prince Starhemberg's dramatic dismissal from the government, provides a necessary background for an understanding of the present Austrian crisis. Mr. Fodor's letter which accompanied his piece said he hoped it would reach us "before Austria ceases to be."

JAMES WECHSLER is the young gadfly who, as editor of the *Columbia Spectator*, made life pretty miserable for the university powers that were while he was an undergraduate. After getting his degree last June, Mr. Wechsler became an offi-

cial in the American Student Union. He is the author of "Revolt on the Campus."

MARIANNE MOORE is one of the most distinguished of contemporary poets. Her "Selected Poems," which appeared a few months ago, was prefaced by a critique by T. S. Eliot.

CLIFTON FADIMAN is the *New Yorker's* book critic. He was singled out by the Misses Marshall and McCarthy in their articles last fall criticizing the critics as one of the half dozen possessing taste, judgment, and sound literary standards.

HORACE GREGORY'S last volume of poems was "Chorus for Survival." He is now at work on a study of English and American literary rebels to be called "Firebrands of Literature."

HEYWOOD BROWN'S radio column which appears in this week's *Nation* is the first of a series which Mr. Brown will contribute from time to time on the merits and demerits of various radio programs.

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